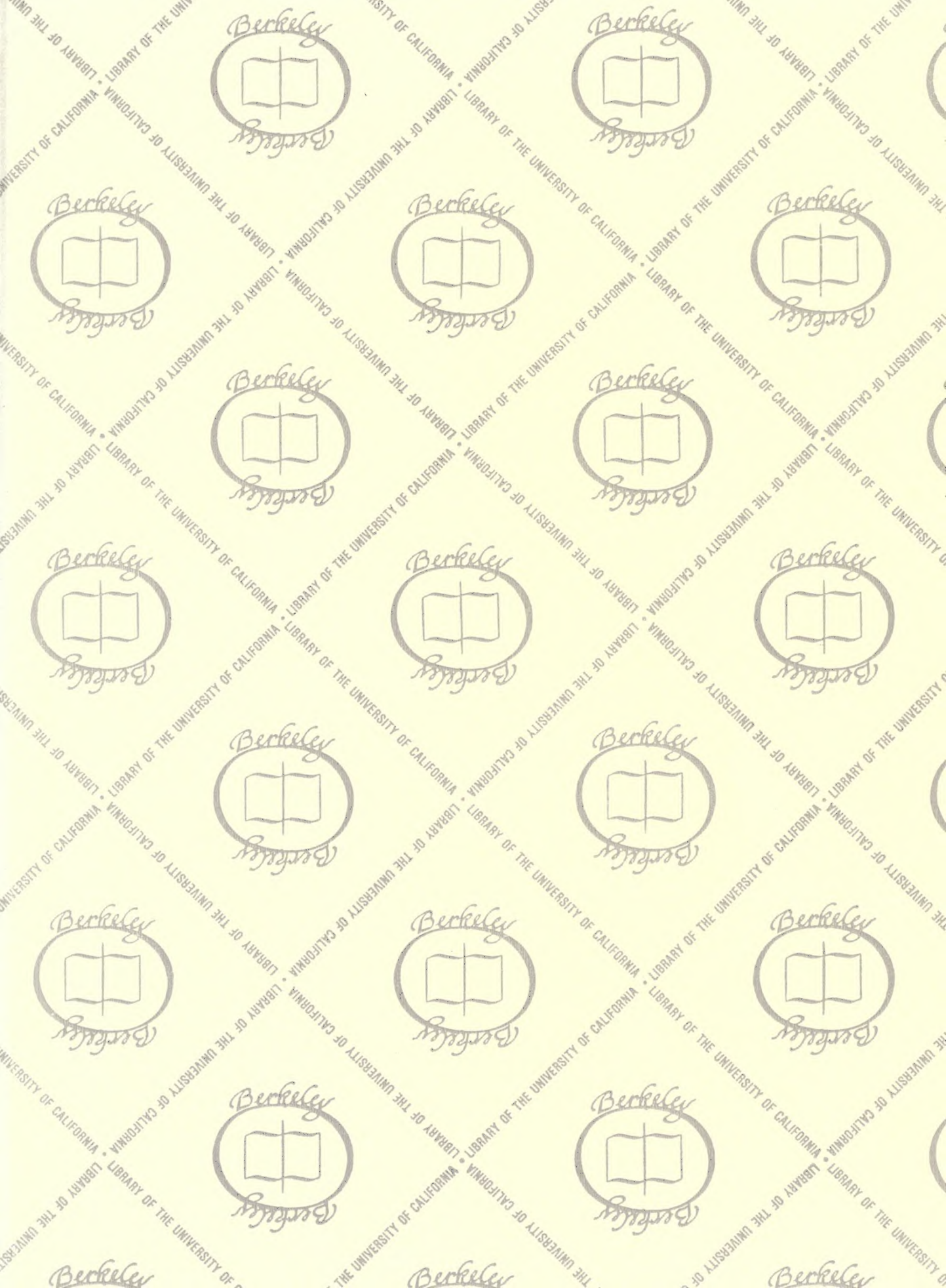


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Governmental History Documentation Project
Goodwin Knight/Edmund Brown, Sr., Era

Edmund G. Brown, Sr.

YEARS OF GROWTH, 1939-1966;
LAW ENFORCEMENT, POLITICS, AND THE GOVERNOR'S OFFICE

With an Introduction by
Eugene C. Lee

Interviews Conducted by
Malca Chall, Amelia R. Fry
Gabrielle Morris, James Rowland
1977-1981

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EDMUND G. BROWN, SR.

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PREFACE

Covering the years 1953 to 1966, the Goodwin Knight-Edmund G. "Pat" Brown, Sr., Oral History Series is the second phase of the Governmental History Documentation Project begun by the Regional Oral History Office in 1969. That year inaugurated the Earl Warren Era Oral History Project, which produced interviews with Earl Warren and other persons prominent in politics, criminal justice, government administration, and legislation during Warren's California era, 1925 to 1953.

The Knight-Brown series of interviews carries forward the earlier inquiry into the general topics of: the nature of the governor's office, its relationships with the legislature and with its own executive departments, biographical data about Governors Knight and Brown and other leaders of the period, and methods of coping with the rapid social and economic changes of the state. Key issues documented for 1953-1966 were: the rise and decline of the Democratic party, the impact of the California Water Plan, the upheaval of the Vietnam War escalation, the capital punishment controversy, election law changes, new political techniques forced by television and increased activism, reorganization of the executive branch, the growth of federal programs in California, and the rising awareness of minority groups. From a wider view across the twentieth century, the Knight-Brown period marks the final era of California's Progressive period, which was ushered in by Governor Hiram Johnson in 1910 and which provided for both parties the determining outlines of government organization and political strategy until 1966.

The Warren Era political files, which interviewers had developed cooperatively to provide a systematic background for questions, were updated by the staff to the year 1966 with only a handful of new topics added to the original ninety-one. An effort was made to record in greater detail those more significant events and trends by selecting key participants who represent diverse points of view. Most were queried on a limited number of topics with which they were personally connected; a few narrators who possessed unusual breadth of experience were asked to discuss a multiplicity of subjects. Although the time frame of the series ends at the November 1966 election, when possible the interviews trace events on through that date in order to provide a logical baseline for continuing study of succeeding administrations. Similarly, some narrators whose experience includes the Warren years were questioned on that earlier era as well as the Knight-Brown period.

The present series has been financed by grants from the California State Legislature through the California Heritage Preservation Commission and the office of the Secretary of State, and by some individual donations. Portions of several memoirs were funded partly by the California Women in Politics Project under a grant from the National Endowment for the Humanities, including a matching grant from the Rockefeller Foundation; the two projects were produced concurrently in this office, a joint effort made feasible by overlap of narrators, topics, and staff expertise.

The Regional Oral History Office was established to tape record autobiographical interviews with persons significant in the history of California and the West. The Office is under the administrative direction of James D. Hart, Director of The Bancroft Library, and Willa Baum, head of the Office.

Amelia R. Fry, Project Director
Gabrielle Morris, Project Coordinator

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GOODWIN KNIGHT-EDMUND BROWN, SR. ERA ORAL HISTORY PROJECT
(California, 1953-1966)

Interviews Completed and In Process, March 1982

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INTRODUCTION

The career of Governor Edmund G. "Pat" Brown, as suggested in the Preface, "marks the final era of California's Progressive period." It also marks the end of a politics free from the domination of television. The "new politics" -- of which candidate, governor, and now President Ronald Reagan is one of the first and most distinguished products--center around the staging of media events aimed at capturing a spot on the six o'clock news and political sixty-second and television commercials. The goal is direct candidate-voter interaction, but an impersonal interaction screened through the television camera.

It is a truncated politics, in which the political poll replaces the party, the financial contribution the group endorsement, computerized direct mail the precinct walker. It is, in fact, a dehumanizing politics--cold, calculating, mechanical, at times amoral. It is not the politics described in the pages to follow, nor--one suspects--is it a politics which Pat Brown would have engaged in successfully. For what emerges from these insightful interviews is an intensely human story, a flesh and blood account of people and events, told with warmth, compassion, and that keen sense of humor which all those who know Pat Brown cherish.

It is also a story of the development of a politician, again in the old-fashioned sense--public defender, district attorney, attorney general, governor--of a belief in the public service as a calling. One looks in vain in these pages for the all-too-easy criticism of government bureaucrat, the cheap shot of running against city hall, Sacramento, or Washington--which has become the hallmark of so many contemporary candidates. For Pat Brown, government is not something you "get off your back," it is the vehicle by which a society takes care of its less fortunate citizens, protects the environment, educates its young, promotes the general welfare. And politics is what makes that vehicle run.

More than anything else, perhaps, this account reveals the inherent honesty and integrity of the man. One quotation is illustrative:

They used to say that I had a reputation of listening to the last person that talked with me. I think it grew out of the Chessman case. But in the issues of major importance, I never retreated one iota--like fair housing, fair employment practices, cross-filing, and the water project.

Finally, this oral history might be entitled, "The Joy of Politics." For throughout Pat Brown's remarks there is a zest, a spirit, an inherent optimism in the human spirit. And an optimism in the future of California

and its people. In his first semi-official act after leaving the governorship, Pat Brown addressed an open letter to Governor Reagan, concluding with these words:

Also, I am sorry you are selling the Grizzly
[a small plane used by Governor Brown in the 1960's].
A chartered jet flies too high and too fast for you to
get a good look at this great, golden state as you fly
over. And that is one of the genuine satisfactions of
being governor of this State - soaring over the cities
and towns; the farms, the dams and canals; the colleges;
the National Guard fighters on five-minute alert; the
highways; all the things that make California the leader
among equals in this nation.

Its people are sometimes unpredictable. Its
challenges are not. You can count on their always
being there.

The challenges remain. And the example of Pat Brown, revealed in these
pages, serves as a reminder of the dedication and leadership required if
California is to continue to be a "leader among equals."

Professor Eugene C. Lee, Director
Institute of Governmental Studies

26 April 1982
University of California
Berkeley, California

INTERVIEW HISTORY

Not the least interesting aspect of California politics is the fact that within a ten-year period a father and son both served as governors of the state. Edmund G. Brown, Sr., left office in 1966 and Edmund G. Brown, Jr., was elected in 1974. Known to all as Pat and Jerry respectively, this pair developed quite different approaches and political styles but shared an unquenchable enthusiasm and energy for political life. Regardless of the eventual impact of Jerry Brown (who at this writing is running for the U.S. Senate), the life of Pat Brown as documented in this oral history memoir is in itself a crucial story in the larger fortunes of the California Democratic party and in the evolution of state government.

The memoir aims at a central view of major political trends, key issues, and accomplishments of state government during Brown's years as governor, 1958 through 1966. Brown himself was much involved in planning for the project of which his memoir is a part and, with others, was generous in suggesting possible interviewees and topics for study. Many of the individuals he suggested have indeed been interviewed, although other significant persons he named had to be dropped from the interviewee list when budget problems developed in 1977. A list of those interviewed appears in this volume, including conversations with other family members: his wife, Bernice Layne Brown; his brothers, Harold and Frank; and his sister, Constance Brown Carlson. Many other interviews in the series also bear on Brown's life and the issues he discusses here.

Like the other family interviews, the first sections of this memoir deal with Pat Brown's family, youth, and education in San Francisco in the early years of the century. In them, he tells of his colorful father, his mother with her strong religious and intellectual interests, and the profusion of his sports and social activities, many of which he organized and led. "I was always a young man in a hurry," Brown recalls. And "even as a youngster I was really more interested in politics and government service than I was in practicing law."

As a young attorney and aspiring candidate, Brown continued to create organizations, including the Society of Cincinnati, which was dedicated to good government and was later helpful in his campaigns. He shifted his registration from Republican to Democratic in 1934, perhaps recognizing that his fellow Irish Americans were finding more political acceptance from the Democratic party. He also pursued a long courtship, which he describes affectionately, of Bernice Layne, who became his wife and loyal helpmeet.

The good government group found a focus in opposing the questionable methods of the long-time San Francisco incumbent district attorney and succeeded in replacing him with Brown in 1943. He relates his early concerns

in criminal justice administration and the reforms he instituted with the help of attorney Bert Levit, who later assisted in setting up the office when Brown was elected attorney general in 1950, and again when he became governor in 1958. Details of Brown's attorney general's office are contained in a separate interview which he recorded as part of the Earl Warren Era oral history project.

It is the political campaigns that are discussed in greatest detail in this memoir: the emergence and remarkable continuity of Roger Kent's Democratic party leadership in combination with the impact of the grassroots California Democratic Council, and the internecine wrangle among Republicans Goodwin Knight, William F. Knowland, and Richard Nixon. These factors were major in electing Brown as governor in 1958, thereby creating the first Democratic sweep in the state's twentieth century history. In patient detail he replies to questions on staffing, organization, funding, and strategy in this and his two subsequent gubernatorial campaigns.

The intervening presidential campaigns, in which Brown usually led the Democratic delegation (or one of them), illuminate national leaders such as John and Robert Kennedy, Lyndon Johnson, and Adlai Stevenson. But it is Brown's determined defeat of Richard Nixon for governor in 1962 and his gallant but losing campaign against Ronald Reagan in 1966 that offer insight on the subsequent dramas played out on the broader stage of national history.

During Brown's years in office, the California political process and state public administration became significantly more systemized. He (as well as others in the series) describes the effort that ended candidate crossfiling on party primary ballots and how it strengthened the parties' role, and the development of more active campaign strategies by Democrats and Republicans. In the legislature Jesse Unruh, the celebrated Big Daddy of the assembly, strengthened his power base by increasing the number of assistants each legislator could employ for research and constituent services and also by creating party caucuses in the legislature. Brown, primarily in response to the general increase in responsibilities of the growing executive branch, initiated a major reorganization that incorporated the plethora of departments and commissions into four more manageable--and presumably more easily controlled--super-agencies. The tension between the two leaders, varying as it did between a united cooperation with common goals and a destructive struggle between power blocs, forms a key element in Brown's gubernatorial history as each man searched out means to strengthen his own branch of government and his party constituency.*

*Unruh declined several times to be interviewed. However, researchers in this series can find accounts from both Unruh's angle of vision as well as Pat Brown's via the indexes of other interviews in this series.

Progress in civil rights, development of water resources, and creation of a master plan for higher education are among the programs Brown speaks of with greatest pride. He examines with candor his inner struggle over capital punishment and his fruitless efforts to convince the legislature to approve his recommendations for increased revenues in the face of growing budget dilemmas. He is open and optimistic in describing the origins of major government ventures, some of which have led to significant rethinking of the role of the state in later years. Throughout this very personal memoir, Pat Brown illuminates the satisfactions and frustrations of public life and provides food for thought for students of the realities of functioning in the governor's office and the inextricable relation between politics and administration. Sprinkled throughout are also thoughtful reflections on the policies and politics of Governor Jerry Brown.

Conduct of the Interview

Interviewing Pat Brown was a combined effort by four members of the Regional Oral History Office staff led by Amelia Fry, director of the project. Of the eighteen interview sessions, Fry researched, planned, and conducted the first twelve, which cover Brown's family, youth, and education and focus in detail on his election campaigns for district attorney, attorney general, and governor. The organization and operation of the governor's office were discussed in the initial recording session; additional sessions on state finance, water resource development, and legislative relations were conducted by interviewers Gabrielle Morris, Malca Chall, and James Rowland respectively.

Sources used in preparing for the interview sessions were related journal articles, news clippings (many from Pat Brown's own scrapbooks), his gubernatorial and attorney general collections in The Bancroft Library. Other interviewees and advisors provided ideas for questions. Prior to each session, the interviewer sent photocopies of a few selected papers from Brown's collection, along with an outline, to refresh his memory. At times he also brought to the session a letter or some other more personal gem; on other occasions his complex political and law firm commitments allowed him only time to rapidly scan the documents for a few minutes before the tape recorder was turned on.

Interview sessions were conducted between May, 1977, and March, 1981, and ranged from one-half to two and a half hours in length. Many sessions were recorded in the governor's comfortable, cluttered office or in a quieter conference room at the law firm of Ball, Hunt, Hart, Brown and Baerwitz in Beverly Hills. Several intensive discussions of political campaigns were held in the Brown family home in the hills above Los Angeles, in the airy living room that opened onto the swimming pool. One of these was on the day before the 1978 primary election, on which Brown's concentration was divided between his own first campaign for governor and his son's re-election campaign. On the same day, Bernice Brown documented the process with informal color snapshots

of the governor and the interviewer. (A sample is included in the text) The November, 1978 interviews were recorded in northern California, one in campaign supporter Ben Swig's penthouse at the Fairmont Hotel in San Francisco and one in Brown's sister-in-law's home in Santa Cruz. The energy with which the governor approached recreating his years in office was evident in the fact that he asked Fry to accompany him on a flight from Los Angeles to San Francisco to continue the second recording session and that he sandwiched in time to talk about state water policy while in Berkeley as a special guest for the University's Charter Day celebration in May, 1977.

Before settling down to each session in his office, telephone calls and interoffice messages were still coming in steadily, many of them demanding follow-up decisions and action. Brown had obviously kept active from his governorship a mental mechanism that enabled him to process and respond to a half-dozen simultaneous and competing demands. Among the business and political matters he would attend to briskly, occasionally interrupting an interview to take an urgent call, there would also be pleas from individuals with complicated troubles and little money whom he would attempt to help with the concern and thoughtfulness of a one-man legal aid society.

The Regional Oral History Office staff transcribed the interview tapes, emended the manuscript for clarity, and spot-audited the tapes where the recording or the governor's meaning was not clear. Tapes are numbered in the order in which they were recorded; the tape guide immediately following the text indicates the few sections of the interview that have been relocated in order to present the narrative in a more logical manner, corresponding to the chronology of events.

Brown reviewed the edited transcript in sections. The chapter concerning water policy was sent to him in October, 1979, and returned within a few months, at which time it was prepared for inclusion in the volume California Water Issues, 1953-1966 of the project series. That text in its entirety is also Chapter XII of the present volume. After working his way through the legislative section (Chapter XV) and a hundred and fifty pages of personal history, the governor apologetically said in March, 1981, that problems with his eyesight made page by page review difficult for him, and that he was satisfied with the staff editing. For the remainder of the text, he reviewed only the pages on which there were unclear or sensitive passages, about ninety in all. These he patiently clarified with annotations on pages in question or by responding to telephoned queries. By mutual agreement, a few salty personal comments were modified and three were withheld from publication until June, 1987.

A listing of items from Brown's papers mentioned in the memoir is included as an appendix to the volume. They are from the extensive Pat Brown collection in The Bancroft Library, as are the political photographs used as illustrations. Other photographs were made available by the governor and members of his family.

Amelia R. Fry, Project Director

Gabrielle Morris, Project Coordinator

3 May 1982

Regional Oral History Office

486 The Bancroft Library

University of California at Berkeley

I FAMILY AND YOUTH

[Date of Interview: 16 November 1977]##

Grandparents' Arrival in California

Fry: Why don't we start out with this introductory part where you just, for the benefit of future readers, list the names of your mother and her parents and your father and his parents and that kind of thing.

Brown: I've got them right here anyway. My grandmother on my mother's side was Augusta Fiedler and my grandfather's name was August Schuckman. My father's parents were Joseph Brown and Bridgett Burke Brown. My grandmother came from the province of Westphalia, Germany, a little town called Soest. I visited Soest on a trip to Germany. I found my grandmother's birth records in the Catholic church in Soest; apparently she left Germany around 1850 or '51. But I could find no record of where my grandfather met her or anything like that.

I know that my grandfather came to California before she did; he came to the United States in about 1849 and worked in the gold fields. He patented land in 1852, the ranch which my brother and I still have in Colusa County. Those records are available in Colusa County. I've never checked them out but I know they're there because I saw a note in a Colusa County paper telling of my grandfather's acquisition of the ranch.

My grandfather went back to Germany to marry Augusta because of the hardships. He came across the plains on the first trip and we have a letter that he sent from Saint Jo [Joseph], Missouri to his relatives in Germany. It's a very interesting letter. My cousin Gilbert

##This symbol indicates the start of a new tape or tape side. For tape guide, see page 583.

Brown: Allen has it. My brother Harold has a copy of it. Apparently he went back in 1856 or '57 and brought my grandmother to the United States. Such a return journey to the old country was a very unusual thing. It was a very hard trip. They settled in Venado, fourteen miles west of Williams. It was just an unincorporated area called Venado. There they had about eight children and my mother was the youngest of the eight children.

Fry: And she had a mother who was a Catholic?

Brown: She had a mother who was a Catholic, but apparently never practiced her religion. All the rest of her family, the Fiedler family, were baptized. We found the records of their first communion and their confirmation, but we could find no record of her confirmation so we don't know what happened. I intend to go back there one of these days and just check those records and see if I can find any relatives in Soest that might still be there.

They lived in Venado all the years of their life. They had eight children. The only one that left Colusa County at any time was my mother Ida, who was the youngest of the family. She went to San Francisco with a girl friend of hers from Colusa County. There she met my father, who was an Irish Catholic and a young blade. I think at that time he was a conductor on a horse car, but he later got a laundry wagon route. Then he bought a cigar store and apparently he took bets on the horse races (I was told later), which was illegal. He made enough money so that in 1908 he bought the home at 1572 Grove Street where my youngest and only sister was born. We lived there until I got married at twenty-four years of age.

San Francisco Grammar and High Schools

Fry: So geographically you were pretty stable, and this is helpful.

Brown: Very stable. I went to one grammar school for eight years and one high school for four years, and then during the whole four years of law school I lived at home. I didn't move out until I was married.

Fry: What was the name of your grammar school?

Brown: Fremont Grammar School in San Francisco. It was built in 1892. It was a wood structure building. As a matter of fact, my first grade teacher, a Miss Rosenfield, was still alive the last I heard of her. I called her on her hundredth birthday. She was almost blind but was able to talk and had all of her mental facilities.

Brown: It was a good school and I can remember the difference between the good and the bad teachers very, very well. I have a very distinct recollection of the teachers that were good. I remember, for example, a Miss Prouty. This was her first teaching assignment, and the kids just didn't pay any attention to her at all. She couldn't maintain any discipline. I remember I sat in the front row and became the teacher's pet. I tried to set an example for all the other children. I would sit there and not say a word with my hands folded like this. She was very pretty. I think [chuckles] I kind of had a crush on her.

Fry: Your first love?

Brown: Well, I wouldn't say my first love. I probably loved some little girl in the first grade.

Fry: This was how much farther on?

Brown: She was in the fourth grade.

Fry: What made you the teacher's pet? Do you know?

Brown: I just got angry at the rest of the kids. They treated her so mean. I was going to try to set an example.

I remember that in grammar school I was a good soccer player. We played soccer football but the principal, Mrs. Goldsmith, threw me off the team because I spoke in line or did some other inconsequential thing. They wouldn't let me play in the first three games. They won the division championship, and in the championship game they permitted me to play and I scored the winning point.

Also I was, even in those days, organizing clubs. I'd always be the president of the club.

Fry: Even in grammar school?

Brown: Even in grammar school. I had genes to be the leader; to run for political office was always part and parcel of my life. It was very, very peculiar. I wish I could understand the reason.

Fry: What was the earliest example you can remember?

Brown: In grammar school, I was on the track team too. I was the captain.

Also I was the salutatarian; I made the speech at the graduation exercises. I never could carry a tune--I remember this distinctly: I was sitting in the front row. We were singing the songs, and I remember some lady in the audience afterwards, "Oh, you have a marvelous voice." [laughter] I knew she didn't have a very good sense of tone.

Brown: Another thing I remember very well. In the second grade we used to sing, and I can remember the teacher. She was quite a leader of the singing group. She says, "There's a monotone, there's a monotone," and she goes around with her ear cupped listening, and then she finally comes to me, and points at me. And that's had a psychological effect throughout my entire life so that singing individually frightens me more than almost any single thing. In high school, when you joined a fraternity, you had to sing a song by yourself, and it just drove me crazy.

It was 1917 when I was in the seventh grade--they had these four-minute speeches for the sale of Liberty Bonds. We had to write a speech and then we had to deliver it. I'll never forget that I made the speech and I ended up by saying, "Give me liberty or give me death," and the kids at school started calling me "Patrick Henry" Brown. It's an amazing thing how they shortened it to "Pat."

Fry: How did you see that at the time, as derisive or as something that was--

Brown: Oh no, it was friendly, very friendly. It usually is when they give you a nickname. It was a fortuitous thing that happened because I think "Pat" Brown helped me later on in political life. It gave me an Irish connotation which was really somewhat undeserved because I was half German and half Irish.

Fry: It was better to be Irish in San Francisco.

Brown: I think it was much better to be Irish in San Francisco, that's right, because San Francisco was dominated by the Irish and Italians at that time. I think it was helpful to me when I ran for district attorney and attorney general. I always carried San Francisco, even when I was defeated by Ronald Reagan by a very, very substantial vote.

Fry: At the time the nickname started--I thought I read in one of the interviews by someone else that you had first tried to get the kids to stick to the Edmund Brown.

Brown: Sometimes I'd chase the little kids who would call me Pat, the kids that were younger than I. That only made it worse, of course. Then they would tease me. They really didn't tease me because it didn't bother me. But it was only the ones that were in the grades below me who would call me that.

When I went to high school for the first year the students all called me Edmund, but then the next year some of the boys and girls from Fremont Grammar School went on to high school and they had called me Pat, so they started calling me Pat and it just spread. It was one of those things. My wife calls me Pat. The only ones

Brown: that called me Edmund were my brothers and sister and my mother. I think some of my oldest friends call me Edmund, but other than that everybody calls me Pat and always has.

Home Life

Brown: My dad used to hate it though. He was kind of lace curtain Irish. They'd ring the door bell and they'd say, "Is Pat there?" and he'd say, "There's no one here living by the name of Pat. You're not referring to Edmund, are you?" because his name was Edmund too. His name was Edmund Joseph Brown. My name is Edmund Gerald Brown. The Gerald came from our family doctor, Dr. Gerald Fitzgibbons. My mother liked that name, so they called me Edmund Gerald Brown. Of course, my son, we named him Edmund Gerald Brown, Jr., but my father's name was Edmund Joseph Brown.

Fry: Did your mother feel that this was kind of shedding your German heritage?

Brown: No, she never felt that way about it at all. It didn't bother her particularly. She always called me Edmund, of course, but it never bothered her whatever they called me.

Fry: Can you tell me about your brothers and sisters and what the family line-up was?

Brown: I was the oldest in the family. I was born on April 21, 1905. My next brother, Harold, was two years and three months younger than I. He was born on July 19. My sister came along on March 27, 1912. Then my youngest brother was born on November 5, 1916. His name was Francis Marshall Brown and they called him Frank, of course. My sister's name was Constance and her middle name was Augusta after her grandmother Constance Augusta Brown. I can remember distinctly my sister being born in 1912 when I was seven years of age because the baby was born in the house and I could hear my mother screaming as the child was born. She delivered the baby right in the bedroom right next to where we slept.

Fry: Was that kind of traumatic for you?

Brown: No, it wasn't. I didn't know what it was; I couldn't understand it. My father would come in and say, "Get out of here," and that sort of thing. I can remember that very well.

I remember too having scarlet fever and being very, very sick. They thought I was going to die. I looked very, very bad. I had all the childhood diseases, whooping cough and chicken pox and all those things.

Brown: I can remember playing basketball in grammar school and dribbling all the way down the field and a painter had left a board right at the elevation of my nose. I ran right into this going full speed. It broke my nose. They took me to the hospital the next day, St. Mary's Hospital, and the doctor gave me anesthesia and straightened my nose. I remember that very well.

When my brother and I were little too (I just want to put this in now because I may forget about it) my father would bring home newspapers, the Examiner and the Chronicle on Sundays. He'd buy the late editions Saturday night and we would get up early, 6:30 in the morning, and we'd sell the Chronicle and the Examiner in the streets. I can remember walking through the streets, yelling "Chronicle! Examiner!" and my brother Harold, two years younger, always followed right along with me. He was always right behind me on these things.

Fry: Did you have any trouble making change at that age and working out the arithmetic?

Brown: No, no. I think the papers were probably only a nickel or something at that time. And that was only on Sunday. But I think my father wanted me to establish a work ethic. He succeeded, because he ingrained work in me. We worked from the time we were seven or eight years of age.

I also have a distinct recollection of 1915, which was the year of the world's fair in San Francisco, the Panama Pacific International Exposition. I can remember, even at ten years of age, taking my little brother, eight years of age, to the Fair: my father would give us fifty cents apiece and we would go to the Fair all by ourselves. It was quite a long ways from where we lived on Grove and Lyon to the Fair in the Marina in San Francisco.

Fry: You at that point knew public transportation?

Brown: Oh, yes, we'd get the streetcar ourselves and go.

Fry: So you could be rather autonomous earlier than kids now are.

Brown: I can remember my father was never home at night and my mother was left alone, so we became very close, my mother and my brother Harold. I can remember my mother: my two brothers and I would climb in bed with her at night, and she would read a child's Bible history to us--Child's Tales of the Bible. They were good stories and she'd read them aloud to us, so when I was in school I knew even more than the Jewish kids about the Old Testament. I can remember my mother taking me when I was very, very young to lectures. She took me to one--I can remember not fully understanding what was going on--the blind Senator from Oklahoma, Senator Albert Gore. I can remember too

Brown: my mother going out at night and I'd say, "Where are you going?" "I'm going to a lecture." She hadn't gone further than the eighth grade, but she was self-educated and well-educated--spoke German, not fluently but spoke it because her father spoke German in the home in Venado, the "Mountain House" as it was called.

Fry: What was her attitude toward formal education?

Brown: Well, she wanted us to be educated and she would help us with our school work. I was a pretty good student at school. I remember they used to have two certificates, the white certificate and the pink certificate. If you were an excellent student you got a pink certificate, and I always got pink certificates.

Fry: Was that at the end of each grade period?

Brown: At the end of each six months, yes, each semester.

Fry: I want to go back and pick up on your illnesses and your injuries. What was the family response when somebody got injured or sick?

Brown: Oh, great, great concern. I can remember my mother being so concerned when I had the scarlet fever because I was a very sick lad. Apparently people were dying with scarlet fever at that time. They used to have a sign that they'd put on the house--they'd quarantine you and none of the other kids could come into the house or anything. They'd put it on your door. I can remember my father, he didn't like that. When he came through he'd knock the sign down so people couldn't see it. I don't know why, but I can remember him doing it.

Fry: Was your father also worried?

Brown: Oh, yes, he was very concerned. He was a very good father despite the fact that he was not around during the day. He'd come home to dinner every night, though. No matter where he was, we'd have dinner at home every night. Then he'd go out to his theater. He had this theater and he'd come home, I can remember too, at 12:30 or 1:00, and he'd bring something to my mother. He'd bring an oyster loaf or something to her. I can remember an oyster loaf--an oyster loaf was oysters in milk bread and the bread was cooked, and sometimes we'd awaken and we'd have that at 12:30 or 1:00 in the morning [laughter] because he'd awaken us when he came home.

Fry: Why don't we talk about your mother because apparently she was the primary parent figure in the family.

Brown: I think my father had more influence on work. Like, I've always had a bad, poor handwriting. [interruption]

Fry: Why don't we start out on your mother by your telling me about her, describing her to me, who doesn't really know her at all. What sort of a person was she like?

Brown: She was really a very beautiful woman. I have pictures of her. She was very beautiful as a young woman and dressed well. My father was very generous with her in giving her diamonds when he made money and things like that. She had pictures of herself in the dresses of the day, and I can remember thinking what a beautiful woman she was.

She was going to these lectures all the time. She was going two nights a week. This was apparently in lieu of having a husband at home, and she'd go by herself or with her lady friends. She had some lady friends--I remember Lulu Hinton and a woman named Mabel, both of whom came from Colusa County.

Fry: Old friends?

Brown: Old friends, grew up in Williams with her. As a matter of fact, I think Mabel (I can't remember Mabel's last name) came down with her when the two girls came down from Williams to San Francisco. It must have been, if you try to picture it, a terrific adventure for these two country girls to come to San Francisco. I don't remember her telling me that she ever worked in San Francisco. I don't know where she met my father. When I asked her about it, she'd always kind of shy away from it. But they got along very, very well for many years. My father was good to her. I can remember too there was a great restaurant in San Francisco called the German House and we would go there once a week for dinner, and then we'd walk along Market Street--my mother and my father and my brother, the four of us. (This was before my sister came along.)

But my mother was very meticulous in the way she raised us, with lots of attention to washing and foul habits and all that sort of thing. She read all the books on raising children and everything else. She was really a very, very devoted mother in every way.

Fry: Did she have any household help?

Brown: We had help, yes. We had household help. In our house we had three bedrooms and only one bathroom. We had a maid when we were rich, when we were doing well. We were probably the only one on the block who had a maid, and I can remember these different maids that took care of us and helped with the cooking and washing and the things like that.

Then my father's youngest sister, whose name was Aunt Nellie, lived there for a little while, but she finally moved out.

Fry: How did she seem to get along with everybody?

Brown: Oh, Aunt Nellie got along well with everybody, but I think the reason she left was that we were a noisy family, normal young boys and pretty boisterous.

Fry: She was unmarried?

Brown: She married very late in life. She got married when she was around thirty-eight or thirty-nine and she had this little boy, Burton Chandler. Burt went to the University of California and was admitted to the medical school when the war came along in 1941, and he went overseas. When he came back he entered the Franciscan order, gave up medicine, and became a priest. He'd be my youngest cousin. Within the last ninety days, after being in the order for probably thirty years, he met a woman, married her and left the order--after thirty years! He was a Franciscan monk, the principal of St. Elizabeth's in Oakland.

Fry: Was he around your house very much?

Brown: No, no. He didn't come around. My Aunt Nellie would come over for dinner and we'd go to dinner with her.

Fry: I mean after you were married, were you very close to him? I wondered if he and Jerry were together a lot.

Brown: No, no. Oh, I'd see Burton, my cousin, once in a while.

Catholic and Protestant Influences; Boys' Activities

Brown: But my mother was very anti-Catholic. My father would insist upon us going to church, and this was a cause of tension in the family. I think it was probably the first quarreling. She was a very determined woman too, and he was a very determined Irishman. He would not insist upon us going to the Catholic school. They didn't have too many Catholic schools then. They tried to get us to go to Catholic schools but my mother wouldn't go that far. I can remember the nuns coming over to the house and asking that we be sent to St. Agnes, but she wouldn't do that. But she did send us to church, and I made my first holy communion and we used to go to church and catechism on Sunday very regularly. But in the background she was always kind of deriding the priests not getting married and the nuns not getting married and wearing the habit. My mother would ridicule, really ridicule, the Catholic church, which influenced our young minds beyond peradventure. My father wasn't there to see that we

Brown: went but she'd send us to church, and that went on, down through my sister. Both my brother and sister were confirmed as Catholics. But I was never confirmed because of an incident at St. Agnes when I was studying for confirmation when I was twelve years old. I got into a fight. The nun took me up before the class and hit me on the hand with a ruler.

Fry: What had you done?

Brown: I think somebody hit my little brother, so I said to him, "If you touch my little brother again, I'll sock you" and with that he hit me before I hit him. I'll never forget it. So when I walked out of the confirmation class I never went back. My brother did, though. He went on and was confirmed.

Fry: This is Harold?

Brown: Harold. But I never finished and neither my father or mother were going to the confirmation, so they didn't know whether I went or not.

Fry: You mean that same Sunday morning you went--?

Brown: I went but I didn't go to--well, maybe I didn't even go to church that morning. I mean, I'd play hookie from church.

Fry: But they didn't know you were not confirmed?

Brown: No, they didn't know. I don't know whether my mother knew or not. My father didn't know or he didn't pay much attention. At that time when I was twelve years of age, he was probably too busy or had too many of his own problems so he didn't pay much attention to it. But my mother would ridicule hell and damnation and purgatory. I can remember purgatory--to her this was ridiculous.

She used to take us to--there was a church on Hay Street, a block and a half away. She took us to this church. I think that was a Congregational church. Then later on she took us to the Howard Presbyterian Church, which was a little ways away.

Fry: What did you think of those Protestant churches? You were first exposed to Catholic--

Brown: Catholic church first, and then maybe when I was ten or eleven she would take me to the Protestant church. I can remember her taking me on Sunday night--[chuckles] I laugh about it even now. She took my little brother. I was only six then because I remember my little brother was only four, and they showed a motion picture of the Holy Land. It was dark in the theater, and it was a silent motion picture too, and I can remember Harold kind of wandering around and he hit his head in the middle of the thing. He said, "God damn it!" [laughter]

Brown: To this day I laugh about it, but I can remember how shocked we all were at my little brother in the church. It's really a funny incident. When you talk to Harold you ask him about that. He won't remember it because he was little, but I remember being the older brother and being so shocked at my little brother swearing. But it shows you we were kind of tough little kids.

It was kind of a tough neighborhood. We had the Grove Street Gang, and there was the rival Fulton Street Gang, and we'd fight. I remember one of the Fulton Street Gang I persuaded to come on to our side, but then they captured him and they hanged him. They put a rope around his body--they didn't hang him by the neck--and I can remember seeing him pulled up by a pulley. They put up a pulley and they "hanged the traitor."

But it was tough. We used to throw rocks and we'd get into fistfights. You had to be able to handle your dukes in those days.

Fry: This was at what age?

Brown: Oh, probably eight, nine or ten, eleven--childhood. It was the gangs. I can remember, of course, going to the baseball games; they let you in free on Fridays.

When you went south of Market over on Mission Street, they'd always challenge you to a fight. So my father, who was kind of a boxer, he kind of taught me to box, so I became a pretty good fighter. I looked like kind of sissy boy because I dressed better than those other kids, so they'd always kind of take me on. I guess I was fighting all the time.

The first thought that I had when I'd see a fellow of my own age, "Can I lick that guy? Can I defeat that fellow?" [chuckles] Isn't that funny? Probably that was the Irish in me or the German. There was certainly a combative spirit. I can remember once this boy hit me, and I came home and told my father and he said, "What did you do to him?"

I said, "I didn't do anything."

He said, "Then you better do something." So later I challenged him to a fight, fought him, and licked the pants off him. [telephone interruption]##

Fry: Anyway, you licked him. Did your leadership traits that you were developing along at this time in school by organizing clubs and so forth, did this come out in the street gangs too? Were you kind of a leader?

Brown: Yes, I was always the leader of the gang.

Brown: I can remember organizing these little clubs. We had a nice basement and we put on plays. I'd write a play and then put it on. We had these clubs and I'd draw a constitution and by-laws. I don't know how old I was then. I can't remember. I can remember those clubs we had in the basement.

Fry: Can you remember any of your plays?

Brown: I can't remember those at all, but I can remember putting them on. We had girls in them too. We'd get a girl someplace in the neighborhood.

Fry: Did you make a neighborhood production of it then?

Brown: Yes, we'd invite them all in and charge. Then I remember having a library too. I organized a library and had library books and let them out. I can remember the kids would take the books out and never bring them back, so we lost a lot of our books and my mother made me shut it up.

Parents' Attitudes and Differences

Brown: My mother bought me a lot of books, gave me a lot of reading material. She really stimulated my interest in reading even as a youngster.

Fry: Do you remember any that stand out that you were especially interested in, or was it fairly eclectic?

Brown: My mother was a great admirer of Jack London and she would also read the poetry of Robert Louis Stevenson. She just loved his poetry, and as a matter of fact, my youngest brother put on her gravestone up in Williams, Colusa County, a short--I can't remember it--but Robert Louis Stevenson, it was on his gravestone too, "Home from the--" I can't remember what it is.

My father also loved poetry. But his poetry was more simple, little ditties that he'd read and recite them to us. My dad read the papers assiduously. He was part of the Tom Finn organization in San Francisco, which was the Republican organization. Tom Finn, who was the political boss of San Francisco, was a friend of the family's.

Fry: Did this political work come off on you?

Brown: Do you mean the politics?

Brown: No, father never impressed me too much as a politician. He was part of it but never in it. He was more commercial, more interested in making money. He had one of the first motion picture theaters in San Francisco. I can remember very indistinctly going to this theater on Fillmore Street. There was a place called Chutes, and he had a motion picture theater right near it called the Musee. A great many of the people that later became heads of motion pictures in Los Angeles were part of the motion picture scene of San Francisco too.

Fry: Your father knew them?

Brown: Yes, he had a motion picture theater. Then he moved on to Broadway, where he had the Liberty Theater. They had vaudeville. I can remember walking through Chinatown. This was in North Beach with all the Italian kids and Chinese kids around there. I couldn't have been more than five or six years of age when he had that, so that would have been in 1911 or 1912. Then a fire destroyed the theater across the street from his, and they built a beautiful new theater and that killed his business.

My father was a union labor man. However, he was losing money so he fired one of his stage hands in the vaudeville and they picketed his theater, and he became terribly anti-union after that even though he'd been a union man before that.

Fry: How old were you at that time?

Brown: I was probably six or seven years of age. I have impressions of those things--you can see from the way I'm discussing it with you how they come out in my mind.

Fry: Were you exposed to his strong feelings against labor unions?

Brown: I think so. Labor unions became kind of like the English--bad people. He hated the English. He'd have nothing to do with them or anything like that. But that was not translated. I could never understand that Irish-English antipathy, but apparently my grandparents, Joseph Brown and Bridgett Burke, had been treated very shabbily, and that whole family were very anti-British.

My father had two sisters, one was Aunt Edith Braverman. She married a Jewish diamond merchant and they got along very, very well. They didn't have any children. Then there was my Aunt Annie Doyle. They had the stables in San Francisco, Sullivan and Doyle Stables, which were the biggest stables. Both of my aunts were very wealthy and I remember my father was always making money or losing money and the sisters, Annie particularly, would come over to the house with her daughter Elma and there was closeness, but my mother's anti-Catholicism would annoy them very much.

Fry: Your mother was rather outspoken with them?

Brown: Yes, she would argue with them about religion; I think that came from her German Protestant ancestry. My mother's father was apparently a member of Masonic order in Colusa County because I think in the funeral notice I noticed where he was buried and at that time there was terrible anti-Catholicism in the country. You had the APA, the American Protective Association, to protect the people of the United States from the Pope. There was a tremendous anti-Papist feeling which probably influenced me to some extent.

Fry: Did you try to please both parents or did you feel very torn about this business of religion?

Brown: It bothered us. It bothered me very much that my mother and father would quarrel over religion. It was really a growing source of dissension that eventually led to separation. There were probably some other reasons too which I have no reason to know--but I think my mother got a little bit annoyed at being alone all the time.

One of the topics on your outline here is about how we used to go up to the ranch. I remember we'd go up at Easter vacation, and I can remember two things that stand out in my mind. My father would go over in the ferryboat to the Fourteenth Street station in Oakland. He'd get off and go there and I would cry when he got off. I hated to see him leave. I didn't want to be separated from my father. I think I loved my father then more than I did my mother even though she was around. But he'd take us crab fishing, and there was a place called Harbor View where he'd take us swimming and things like that. That's where he came from. He came from Cow Hollow, which is down there around Fillmore and Union Street. That's where all the Irish were. All of the Italians were over in North Beach--and they used to fight like hell, too, my father told me. My father, of course, was born in San Francisco and he went to Spring Valley School. Apparently his parents didn't send him to Catholic schools either.

Fry: What was the basic difference in the personalities of the two parents?

Brown: I think my father was a very bright, alert man, but he was more commercial, more interested in making money, and I think my mother, when she came to San Francisco and came into contact with some of the intellectuals, became more interested in education and in bettering her mind because she was reading all the time and reading good books. It was an amazing thing, and she gave me unquestionably a desire to learn, which was somewhat stifled later.

To explain, I have to go to my third year of high school, where my father lost all of his money and I knew I couldn't go on to college, that I had to get out and support myself and maybe help

Brown: my younger brothers and sisters. I can remember deliberately, in my fourth year of school, dropping off in my schoolwork and not studying so that the excuse for not going to college would not be that I didn't have the money to go. I was in this fraternity and I wanted them to think I couldn't go because I didn't get the grades. As a matter of fact, I had all of the recommendations with the exception, I think, of one or two at the end of my third year. I had all A's and B's anyway, so I could have--you had to get, I think, twenty recommendations your second, third, and fourth years--something like that. I can't remember exactly what it was, but I remember getting "recs" was a way to get into college.
[interruption]

Fry: When I asked about the personality of your parents, was one parent more openly affectionate than the other?

Brown: I don't think so. I think they were both affectionate. My father was very affectionate with us. But I think the best example of how he cared was that he would concentrate on my writing and expression in reading. He used to have me read aloud, but he was not so concerned with the content. He was concerned more with the outward expression.

Fry: The public speaker of the future?

Brown: I don't know whether that was it, but I was always the best reader in the class. We used to read aloud.

Ranch Visits in Colusa##

Fry: I want to pick up on what you said about the Colusa ranch because you didn't tell us what all you did when you visited the Colusa ranch.

Brown: We lived in a pretty poor piece of habitation. This was my Uncle Rufus Allen and my mother's older sister, Emma Allen. They had three children and instead of staying in the Mountain House, a hotel my mother's brother, Frank Schuckman, operated, we stayed with her sister. It was a rustic country farm house, not very luxurious--outhouses, no running water, wells, lots of rattlesnakes. But they had cows and chickens. I was never much of a farm boy. They had some good books up there, too, and I can remember reading the books.

My brother Harold loved to get out and work on the farm, and he'd go out and bring the cows home and things like that. The elementary school where my cousins went to school [interruption] did have Easter

Brown: vacation the same times as we did, so my cousins would be going to the little school house where there were the eight grades in one room with one teacher. We'd go to school with them, and we'd ride horses bareback back and forth to school.

Fry: Which cousins were these?

Brown : These were the Allens. There was Gilbert and Lewis and Cleo. They were all older than we were. Then there were other little kids that lived in farm houses up there in Venado and where the Mountain House was. There were probably ten or twelve or thirteen separate farms. It was all dry farming, too. They had to depend upon rain, and my mother tells me when she was a little girl, why her father would say, "Now, everybody get down on your knees and pray for rain."

Fry: Maybe that's how she lost her religion!

Brown: Maybe that's where she lost it because the rain didn't come. But at any rate, we enjoyed going up there. As I told you, I missed my father very, very much because he and I were really, really pals. We'd usually stay there for the week's Easter vacation and then sometimes we'd go up there in the summer too. We'd never go up in the winter.

There was a creek that ran through the ranch, and when we got up there in April there was lots of water in it. I can remember my cousin Lewis spearing fish and showing me how to spear fish. It was really a very enjoyable week that we'd have. I guess we went up there maybe ten or twelve times. We'd take the ferry boat and the train, and I remember place names like Zamora and words like that always impressed me. [chuckles] There were two or three other places too up there in that area that--Colusa, Davis, Woodland, and Dunnigan. I never went beyond Williams. I often wondered, What's beyond Williams? I mean, that was where we got off the train.

My mother's brothers worked for the Southern Pacific in the railroad station house in Williams. One of them died very young of tuberculosis. Then the second one died of tuberculosis, which was quite prevalent in the valley.

But we still have that ranch. It's still in our family name. My Uncle Frank was the wealthy one. He was a miser. He didn't spend any money and didn't give any money to the poorer relatives. He was very tight. We always regarded Uncle Frank as very penurious because he never gave my mother anything no matter how difficult times were. When he died, he left almost a million dollars. But he left it to twenty-one cousins because he didn't have any children, and he left only one share to my mother. She was really rather disappointed because she thought he'd leave more to her. At the probate sale, my brother and I bought the ranch. We didn't have

Brown: enough money to swing it ourselves so we got two other friends to help buy it, so I have 35 percent and he has 35 percent and the other two people together have 30 percent. Now, my sister and brother could have bought it but they didn't want to go in with us on the thing so they lost their interest in it.

Fry: Besides reading, what else did you do there?

Brown: Oh, we'd gather up the eggs, ride horses, go out and gather in the cows, and we hiked. There's a place up there called Twin Sisters that we hiked up. And we roamed those farms and ranches. They'd have parties. All the neighbors would come in and I can remember how nice they were.

Fry: What were the parties like?

Brown: Nobody did very much drinking in those days. I can't remember, but no one seemed to get drunk but everybody had a good time. They played music and danced, and we'd play post office.

I had a cousin up there by the name of Gertrude and Gertrude was just about the same age as I. I'll never forget how she took me out and showed me how to catch snipes. You know what "catching snipes" is, don't you? They take you out and they tell you to hold a sack, and the snipes will come out, and you just wait until they come out; the snipes go behind the wood or someplace, and then you catch them. But what they do is they take you out, far away, and then they go home home and leave you out there waiting for the snipes. [laughter]

Fry: That was Gertrude's contribution to your--

Brown: That was Gertrude's contribution to my education! I'll never forget. I was so disappointed.

Fry: How far out did they take you?

Brown: Oh, they'd take us maybe a half a mile in the dark, and it would be dark.

Fry: Was it scary to you?

Brown: No, no, I wasn't frightened at all. By the way, the Mountain House was illuminated by natural gas from the grounds up there, but they didn't pump it up to the Allen place. Then there were the Stovalls who were very, very wealthy. They were across the way and there were other ranches. I can't remember the name of the people. But it was an interesting phase of my life, to be up there in that farming area.

Fry: How much were you really conscious of farm problems?

Brown: None. I wasn't familiar with it at all. They had a nice orchard and I think they grew wheat and alfalfa, but it was tough going for the Allens. They raised pork. They raised all their own things. The food was plentiful and my Aunt Emma was a great cook. It was very pleasant.

I'll never forget one day, however, they had shotguns all around the place because they used to shoot. I got a hold of a loaded gun and I said, "Put your hands up everybody," and threw them into a conniption because they were all loaded. They were just scared to death. They shouldn't have kept a loaded gun around with children around. [interruption]

Early Perceptions of Politics, Death, and Religion

Fry: To go back to your mother. I wanted to ask you if she had any special political awareness that she got across to you, or maybe she had her own political activities.

Brown: No, I can't remember--I don't even know whether she was a Republican or a Democrat. My father was a registered Republican because everybody was a Republican in those days.

Fry: What about public issues like suffrage?

Brown: No, she was not active in that. But I can remember her taking me to hear Hiram Johnson. Hiram Johnson was, I think, running for United States Senator so that must have been somewhere in '16 or '17 when I was probably eleven or twelve years of age. You can get an idea of where she'd take me by the Hiram Johnson example.

Fry: Do you remember what you thought of Hiram Johnson at that time?

Brown: I remember he walked across that stage and, of course, they didn't have any microphones in those days and they'd boom it out at Dreamland Auditorium, which was a very interesting thing. But I have no knowledge of my mother's political affiliations or any interest.

When I was a little kid, they used to erect the election booths in the streets of San Francisco. They were a simple structure that they'd bring out at election day and put up. I'll never forget as a youngster going down and watching the counting of the returns. I remember there was a grocery man, Jerry Huntsinger, who was president of the Grocer's Association, and he was running for supervisor. We all campaigned for him. It just shows that somewhere I had political "genes."

Fry: How old were you when you campaigned for Huntsinger?

Brown: Oh, probably twelve or thirteen. We got in trucks and went around town singing songs for him.

Fry: What did you say an election booth was?

Brown: They used to have a wooden structure that they'd put a flooring on and they'd put an awning over the top.

Fry: Where people voted.

Brown: Where people voted in each precinct.

Fry: So at least you were aware of the political process at a pretty early age.

Brown: Right.

Fry: Maybe that's a good idea--to have it on the street where people can see it.

I wanted to know more about your mother's attitude toward your friends as well as toward the street gang activities.

Brown: Well, they were always kind of worried that we'd get hurt, but we never did get very seriously hurt because we were pretty cautious. I mean we'd fight but nobody got hurt very much. We didn't use any knives or anything like that. We just used our fists, so nobody could get hurt.

The sand dunes were very close to our home in San Francisco then. We used to go up there and play in the sand. Sometimes we'd play football. They had a lot of poison oak and about every year I'd get a terrible case of poison oak. One day I got such a bad dose of poison oak that my face was swollen, my whole body was swollen, even my testicles were swollen. But that gave me immunity. I've never had it since. I never had it after that, I had such a bad case of it.

We used to go to Ocean Beach and swim out there. We weren't very good swimmers. I can remember one of the boys, a little boy named Tony Delucchi, he went out there (without me) and he was carried out by the tide, right out there opposite Fulton Street in San Francisco. They never found his body.

Fry: You were with him at the time?

Brown: No, I wasn't with him. He was a young boy that was our pal and we used to swim together and everything. His father had the fruit store across the street from our place.

Fry: Was that your first experience with somebody around you dying?

Brown: Well, I didn't even see him dying really. Yes, I think that's probably the first experience I had of death of anybody that I really knew.

Fry: I just wondered. If you were in a home with a lot of religious discussion going on all the time on such matters as heaven and hell and death, then when you confronted a death of a friend, what went on inside your head?

Brown: I can't remember that.

Fry: This didn't particularly raise any turning-point questions?

Brown: No. I mean you don't think about death when you're a youngster. I mean, you don't worry about it or wonder what's going to happen to them. I had another friend, Arnold Schiller, who went to grammar school and high school with me, a very bright kid. When he was seventeen he had appendicitis and it burst on him and they operated and he died. He was seventeen. He was my closest friend.

Fry: That was your really close buddy who--

Brown: Yes, from grammar school on, lived only three or four doors from me. That really shocked me. I saw them take him away, and then he died. He was a very heavy-set kid, though. He was very stocky, built like a gorilla, as a matter of fact--very big arms and big body, and they probably had difficulty with the surgery.

Fry: At that time, did this raise any questions in your mind?

Brown: No, I never had any questions about life or death that I can remember now. I mean, religion was something that my father made me go to. My mother took me and I never really particularly enjoyed it.

But as time went on, I think the symbolism of the Catholic church and the music and the pageantry, if I can call it that, somewhat impressed me. After my father lost control of me, we didn't go to church. We were supposed to go, we'd dress up every Sunday to go to church, but instead of that we'd go up to St. Ignatius playground, which was a Jesuit church, and we'd watch a ball game. But I would still go into the church. Even though I didn't go to communion or the sacraments or anything like that, I used to go in. I used to like to listen to the music, and I liked to hear the Jesuits orate even though I didn't go to confession. I think probably from the time I was twelve when I didn't make my confirmation until I was probably thirty-three or thirty-four, I used to go to church. After we got married--of course, we were married outside the church--I never went to the sacraments even though I used to go to church.

Fry: Pat, explain this to me, a Protestant: Do you mean that you would go to mass for the pageantry but not to--

Brown: But I wouldn't go to confession and I wouldn't receive communion. I wouldn't receive the Holy Eucharist.

Neighborhood Ethnic and Racial Groups

Fry: Do you remember any sort of objections to any of your friends by your mother?

Brown: I can't remember any. I mean, she was a very liberal woman in that respect. We had Jewish neighbors, Jewish tenants upstairs, the Oberdeeners, then we had the Israels downstairs. So the only people I really knew intimately growing up as a child at 1572 Grove were these Jewish families and I can remember the holy days in the Jewish [religion]--Yom Kippur and the others, why they'd come up and bring gefilte fish which they prepared, delicacies and things like that.

My mother was completely devoid of racial prejudice of any kind, nature, or description. I can remember her talking to me about people that were prejudiced because a person was black or Chinese or Japanese. That always offended her. She used to give me hell--we used to have Chinese laundry wagons that used to go around and pick up the laundry. We would brick the Chinese laundry wagons--we'd throw bricks at them. Of course, the Hearst newspapers then were carrying on a campaign against the Japanese, and I can remember, growing up, that in our hearts, we thought, gee, the Japanese, the "octopus of the East," taking American jobs. We were very anti-Japanese. But with the Jewish and the blacks there was nothing like that at all.

Fry: Did your mother talk about--

Brown: Yes, she talked about racial attitudes. I can remember that, as a result of which, I think I have very deep prejudices about some things, but I don't think I have any about religion. I get angry at situations now whether it's an Arab or a black or an Israeli. But growing up as a youngster I belonged to that fraternity that was half Jews and half Gentile.

Fry: What about families of other races in your neighborhood?

Brown: In the neighborhood another very close friend of mine is a man named Otto Johnson. A funny thing, I can even remember the address--529 Lyon. Isn't that funny? And right across the street from me lived Prescott Sullivan.

Fry: What races did they belong to?

Brown: Otto Johnson was German. We used to call them Dutch. Then there was a little Mexican kid up the street, Harry Carne. He was Mexican ancestry. Then there were the Levins lived in the neighborhood. Al Levin was a great ball player and Ed Levin his cousin later became a doctor, a dermatologist. I can remember seeing him when I was attorney general or something in San Francisco.

Fry: What were they?

Brown: They were Jewish. Then there was Milton Ross, who was German too. His father had the barber shop, and they lived over the barber shop. Then the grocery man was named Brown--I can remember these neighbors, and the people who lived in the Fremont Grammar School neighborhood. They didn't move so much. Then up on Turk Street and Golden Gate Avenue, there were a lot of Italian families up there. Down the street from me was the Boys' Aid Society. The Boys' Aid Society was a school for boys committed for misbehavior. Instead of sending them to juvenile detention homes they sent them to this Boy's Aid Society. It was a private institution with private trustees that accepted commitments for the boys.

There was my closest friend over a long period of time, a boy by the name of Harry Kamp. His name was Kamphoeophner, but he shortened it to Kamp afterwards. He and I went through eight years of grammar school. Then he went to Poly, I went to Lowell. But we continued our friendship. He went on to the University of California and became a doctor of optometry. I later on appointed him to the Adult Authority. I put him on the Women's Board of Parole first. I then put him on the Adult Authority. He wanted to get away from the practice of optometry. But he died ten or twelve years ago. He began to drink extensively. But he was, I would say, the closest friend I had throughout my life.

Then there were two other boys, the Hills, Ed and Frank Hills, who lived around the corner from me. Their father was a Russian. His name was Baraneff; and there were some islands named after him up in north Alaska. He was a stern old Russian. I can remember his moustache; we were all kind of afraid of him. We used to go over to the house and Ed and Frank were very strongly disciplined. He disciplined--he was a stepfather. Ed Hills was a friend of mine throughout my life until Jerry ran for secretary of state, and then he supported Hugh Burns so I turned his picture to the wall. I haven't spoken to him for probably seven or eight years. It's funny how friendships like that break up.

But my childhood was really--I enjoyed it very much. When I got older I ushered in the Edison Theater on Powell Street and I sold newspapers on corners. I had a Bulletin route when I was just a

Brown: little bit of a kid, I can remember that; then a Chronicle route when I was in high school. So I always worked--I mean almost from my very younger days.

Fry: Pat, am I right in assuming that you didn't live near blacks or Orientals?

Brown: No blacks in the neighborhood at all. There were very few blacks in San Francisco then. Very, very few. There were a lot of Japanese. There was a big Japanese community, a big Chinese community. But I wasn't close to them, no.

Fry: Did you have any of those in your grade school?

Brown: Not in the grade school. In high school we had both Chinese and Japanese but not very many. My school, the Lowell High School, was primarily the academic preparatory school. Everybody that went there anticipated going to college at some time. They had more graduates going into higher education than any other school almost in the state.

Fry: To follow up on this racial question, when you were in high school with them, did you have any close friends--?

Brown: Do you mean that were black?

Fry: Black or Oriental and that had a distinctive--

Brown: I had a very good friend, a Japanese fellow by the name of Ike Terasowa. He was almost the only Japanese kid; he and I got to be very friendly. He wasn't a very good student, and I used to try to help him. He and I were very, very close--I liked him.

The girls--I'm trying to think of it--there was a girl--to remember the names of the little girls. There was a girl named Genevieve McBride.

But we had the Pacific Hebrew Orphan Asylum that was on Divisadero Street, and all of the little orphan kids used to go to Fremont Grammar School so throughout the eighth grade there were these six or seven or eight or nine Jewish boys and girls in the class too. You could always tell them because they had little patched-over clothes. Always clean as a whistle, but very plain looking. They were as identifiable as a person wearing a prison uniform or something.

Fry: Did you try to help them too?

Brown: No, they were just regular kids, but they had to get home right after school so you didn't have very close contact with them.

Schoolboy Jobs; Father's Business Ventures

Fry: You mentioned to me yesterday when we were looking at the outline that your mother felt your father was partial to you and liked you best.

Brown: Yes, I think that's true. She kind of favored my brother Harold. As a matter of fact, I would accuse her of it. I would say to her, "You're showing dirty favoritism to my brother Harold," and she would say to me, "Well, your father takes good care of you." I'm sure she loved both of us equally. But Harold was really her pet. I can't remember--when you're seven years older than your sister, there's a wide range. Then my little brother Frank who came along later, he was always a little bit of a tyke and I was away and didn't pay very much attention to him.

Fry: So it was mainly you and Harold as far as close siblings--

Brown: Right. We were very close. He would follow me in everything we did. When we were little kids at Christmas time, my father would have this stationery store and he had Christmas cards. He had them down in the basement where we put them in little packages of twelve for ten cents. We'd walk along the streets selling those Christmas cards at Christmas time, and we'd participate in a kind of a fraud. I'd tell people if we sold ten of these we'd get a motion picture machine because there used to be advertisements in the paper--send for Christmas cards and you get a prize if you sell your Christmas cards. But we manufactured our own.

Then we used to work at the fights, too. We used to sell soda water and I was always a very unethical businessman. They'd give you ten glasses, and then I'd get an extra glass and I'd take a little bit out of every one, fill up the glass and then that would be eleven and I'd keep all the money from the eleventh.

One day they had a benefit fight. I raised the price. I got all the fellows together who used to hustle--we used to call it "hustle" at the fights--and I said to them, "Now, this is a benefit. We'll raise the price five cents." So we increased our selling price so we'd get two cents a bottle more or something like that--it was really funny. I think we may have kept the entire five cents extra.

Fry: You inherited some of your father's business sense.

Brown: Oh, yes, he was a regular--without denigrating the Jewish prototype, he would be out in front of his place and if you would look in the window or something of his store, he'd say, "Come right in." He was a real salesman. He was really very funny.

Fry: Did he know about your--

Brown: Escapades? No, but he would have approved. He would have approved of our business judgment. He was always a gambler though. No matter what he was doing, he would shoot crap, and he'd shoot for big stakes too. He'd lose lots of money in a crap game.

Fry: Did you experience any inflexible rules from your parents? Were there things that were absolutely beyond the pale that they were very strict about?

Brown: I can't remember any right now. We had to be in school. There was no playing hookie or anything like that.

Fry: I was wondering what those things were that you just thought you didn't have any choice about.

Brown: I can't remember. My father was always determined to make me a good writer because he wrote a beautiful hand, but I was never any good.

Fry: As far as script?

Brown: Right, right.

Fry: I wanted you to tell us more about your work with your father because you worked in his various stores from time to time.

Brown: Well, in 1915 during the world's fair, he had a store on Market street. In this store they had all sorts of novelties--pennants, shells, sea shells with "San Francisco" on them, all sorts of novelties, novelty jewelry. Then in the back he took pictures, three for a quarter, quick finish. People would come in and have their picture taken in the back, three for twenty-five cents, they'd wait ten minutes and they'd get their picture. They developed them in the store. I didn't work there. Then he moved to 902A Market Street.

Fry: I thought you developed pictures in the back.

Brown: No, that was at 902A Market Street. That was during the war when I developed pictures. I took pictures there too later on probably in '18 or '19 when I was in high school. I would take the portraits. It was relatively easy to do it. We raised the price, three for fifty, and I would do the developing and the enlarging. I can remember my father taking me to a portrait school to learn about it, but I didn't learn very much at it. I just knew how to take those pictures.

Fry: In the back of those stores did he have his crap games going?

Brown: He'd have them upstairs at 902A Market. I can remember he had a big table up there, and he'd run a crap game every night up there. He did very well in photography during the war because the soldiers wanted

Brown: their pictures taken in their uniforms. He also had a store at 1035 Market and one at 209 Market and at 189 Market Street--four places where they took quick-finish pictures. One of them was a penny arcade, the one at 209 Market, and I used to watch that place, watch the penny arcade, and take pictures in the back.

I can remember one day a fishing company came in. They were sending maybe two hundred people up to have their pictures taken before they went away for the Alaskan codfish or some Alaskan fish; I'm not sure what they were fishing. They asked me whether we could take pictures of all of them. I said, "Certainly." So I entered into a contract, three for fifty cents. But I knew I couldn't take one at a time. So I'd sit three of them down at a time and I'd turn the plate over so I'd get three on one plate. I'll never forget all of the Italian and Portugese fisherman in the place waiting to have their pictures taken. I couldn't have been more than fourteen or fifteen years of age.

Fry: And you were running them through on a production line.

Brown: Running them through. I remember that very well.

We used to watch, in this penny arcade at 209 Market, for the fleet to come in. Then the sailors would come in and the place would be packed. When the sailors weren't there there was no business at all. That was after the war.

Fry: What did you think about your father's crap games at the time? Were they known as illegal, Pat?

Brown: Oh, no, those were just social. He didn't run a professional crap game. This was just a sociable game--his friends would come up there and play. I didn't like him to do it because he wasn't making money and I hated to see him lose money. But I kind of developed a feeling against gambling at that time. He used to tell me, "Never give a sucker a break. The odds are with the house." I was always afraid that somebody would make a fool of me. I did get fooled a couple of times.

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Fry: You were talking about your father's businesses.

Brown: Yes, I worked very closely with him. He would never be up in the day. He would always work at night. But I had to do all of the buying and selling at 1035 Market. I could remember when I'd take a girl out, I'd go in there and open the place up, take pictures of them at night. I think I took my wife down there one time. There was another girl, Myrtle Emory, that I used to take out, and we got pictures taken. It was an interesting job although it was hard: every day to work five or six days a week.

Brown: Then I became yell leader at Lowell (some of these things are not too chronological) but I knew I had to work, so I took this morning paper route. But I only lasted three months there because I couldn't--the monotony of following the same route annoyed me so I'd change [chuckles] the route, and one person who had been taking the Chronicle since 1850 or something failed to get his paper, so they finally thought they better get another man. But it was hard, that was hard work, getting up so early. Sometimes I'd take a girl out when I was in high school, and we'd sit on the steps until finally the mother would say, "You keep my daughter out too late." But I had to get up at 3:30 in the morning, go down and put the inserts on the Sunday paper on Saturday night. I wouldn't want to go to bed, so I'd keep the girl up until it was time for me to go to work. [laughter] They could never understand it.

Fry: Did your father every run any illegal gambling?

Brown: No, he used to go over and play when the 1035 Market business got bad. We did very, very poorly except at Christmas time. At Christmas time we'd make enough money during the four weeks of Christmas to almost take care of the place during the whole year. But it was monotonous for him, so he'd go over to a draw poker club and play draw poker. Finally, bought the poker club. They were really private clubs but anybody could get into them, so it was a technical subterfuge to be able to do it. What was your question?

Fry: There have been a lot of allusions that your father--

Brown: He was a bookie for horse racing before I was born or maybe during the first two or three years of my life, but after that he was never--he was only in the poker game which operated all over San Francisco, a private club. You had to get a membership card to play and they charged for the cards. It was against the law to take a percentage of the game and he was very strict, although he used to play himself.

Fry: So his only profit from that would just be what?

Brown: The rental of the cards and the time. They'd have to pay time--so much, maybe fifty cents every hour or something like that. So it was a relatively small business.

Discipline, Values, Hard Times

Fry: One of my last questions here on your home life is whether the discipline was rather flexible or did you really have to toe the line?

Brown: I can remember my father spanking me when I was a little boy. I can't remember for what. But he was pretty--he was a strong disciplinarian. There was no foolin' around. We had to be home at a certain time when we went to the motion pictures in the neighborhood.

Fry: Was your mother also a strong disciplinarian?

Brown: She was a strong disciplinarian. I mean, we were pretty good little boys. We didn't steal or anything like that. I can remember one of the boys stealing something and I told on him; I became a stool pigeon because he stole money that we were really saving for war bonds or something, and I knew who it was.

Then the other kids would filch things from the drug store, a package of gum or something like that. But my father was very strict about it. As a matter of fact, when we were ten Harold and I sneaked into the exposition, and he made us go back and pay the fare. So he was a very, very honorable man.

But I can remember he used to borrow money when things would get tough. He would borrow it from his tailor. (All his suits were always tailor made.) He would borrow fifty or a hundred dollars, then he would pay that back. He was always determined to pay those debts off. After we started practicing law, when he didn't have any money he would get it from us. He'd say, "I have to pay that money back."

There was a man named Pete McDonough with whom he went to school. Pete McDonough was the bail bondsman and the fountainhead of corruption in San Francisco. He was a great friend of my father's. My father was not in politics. He knew him and he used to borrow money from him, but he'd always pay it back.

Fry: What other of your father's friends did you have any contact with as a child?

Brown: My father's friends?

Fry: Yes.

Brown: Of course, his sisters. We would see my aunts. There was one brother, Mike, who was kind of a ne'er-do-well apparently. We never met him. We never saw him. He was apparently an alcoholic, never got married. My cousin Florence, who is the daughter of Edith Braverman. Edith was married to a man named O'Reilley. He died or she divorced him and she married Sig Braverman who was Jewish and a distinguished gentleman. I can remember always thinking what a soft-spoken, fine man he was.

Brown: My father had a lot of friends in the theatrical business. Bert Albert, I can remember that, and a man named Denny Halihan. Then there was a man he had by the name of Smith. My mother told me that he was a swindler or "con" man. Apparently he was a friend of my father's. We used to go over to his place. He couldn't live in San Francisco. The police wouldn't let him live there. [interruption]

Fry: You were telling me about the man who was--what did you say he was?

Brown: He was a swindler. My mother used to tell me. My father never told me this but my mother would tell me--we used to go over to his place. He lived in Oakland. He had a very nice house over there. Apparently he was a card swindler. He'd get in a game and play cards and I think they called him "Three Fingers Smith" or something. He was apparently a friend of my father's. I don't know where he got them.

Fry: Later on when you were maybe in your first year in law school, I read that you would help your father when he would be in a losing streak or something.

Brown: Oh, yes. Well, he was losing money in the card room. He couldn't pay the rent and his employees. I had the dice game which he told me not to play. I never told him that I played because I was under twenty-one, and if I played the police would really get after him in the legal poker game. This was a legal game in those days. Every cigar store had '21' and what else did they call it--they played '21', poker, dice, and another game, '26.' Those were the games. They were really illegal but they were permitted in San Francisco and really throughout the state. They were legal until Kefauver came in to California in 1950; I mean, nobody stopped them. It was just part of the mores of San Francisco--very profitable to any cigar store that ran them. They were in every cigar store in downtown San Francisco, in the office buildings and everything. He told me not to play those games, but, gee, the house game was all with us where you couldn't lose, the percentage that you have. So I would make two or three hundred dollars a month in that, and I'd put it in the bank and save it and my father would go broke and come over and borrow the money from me. I think he knew I was doing this.

II EARLY FRIENDSHIPS AND MARRIAGE

High School Sports and Student Politics

Fry: Let's go back into your high school days. There you continued your habitual behavior of being an organizer and running for office, being president of this and president of that. Can you kind of give us a rundown on this?

Brown: I was only a little bit of a fellow. I only weighed about ninety-five pounds when I was a freshman and I was very short. I was fourteen and four months when I entered. My birthday was in April and I didn't enter high school until August, so I was really a little bit older than some of the other kids whose birthdays were closer to the entry date. But I was very small. I played on the hundred-pound basketball team and I went out for track; I was on the hundred-pound track team too. I did the running broad jump.

But I really matured very slowly. For example (not to be embarrassing), in my second term, I joined the ROTC, and we had to go out to the Presidio and have a physical examination. So they had all of the boys strip and wait for the doctor. So here we are all around, balls-naked. Well, everybody had hair, pubic hair, and I didn't have any, and I was so ashamed. I mean to this day--you can't realize what a little boy thinks. "God, what's the matter with me?" I mean, "I'm not virile or something." [chuckles] I wasn't a man. But I don't think I really began to reach the age of puberty until I was about fifteen and a half--very, very old in that connection. It's an interesting physiological thing, but I don't know what the--

Fry: Well, it has a lot of implications for your interest in girls and when you start dating and all that sort of thing.

Brown: I guess I didn't play on the hundred-pound basketball team my freshman year. I played as a sophomore and we won the championship, and I played the third year on the hundred-pound basketball team, so I was still a hundred pounds when I was a junior, so I was still very small.

Brown: Then I was on the 120s when I was a senior. They played the 100, 110, 120-pound basketball in the fall. They played the 130, 145 and unlimited in the spring. So I played on the lightweight teams. Never, even when I was a senior, did I weigh more than 120 so you can see I was a very small kid.

I started the rowing team. Polytechnic High got a whale boat from some friend of Harry Kamp's family and had it there in San Francisco Bay, so I thought, gee, this is a good idea. So I got Lowell to get one, so we had four--Mission, Lowell, Polytechnic and some other team--and we'd go out on the bay and practice. I was the pilot. I wasn't even the coxswain. I'd just hold the rudder.

But I was on the camera club because I had been in photography. I was on the debating society.

Fry: Were you president of all of these at one time or another?

Brown: I was president of the camera club, president of the debating society, president of the rowing club. They used to call me "E. Brown Crewfounder."

Fry: It has a certain ring when you say it out loud.

Brown: Well, this girl, Marion Stuer, who was a very nice girl, started it. We never had a crush on one another or anything like that but we liked each other very, very much, and she'd say, "Here comes E. Brown Crewfounder" because they had a picture of me in the Lowell biweekly captioned "E. Brown Crewfounder."

I didn't run for office really until I was a low senior. I ran for yell leader against the incumbent and beat him. Then the next year I wanted to run for president of the student body but I was afraid I'd be defeated by my opponents because one was the captain of the football team and the other was a football player too.

Fry: So you chose the more realistic alternative?

Brown: Yes, I ran for secretary of state and I won by an overwhelming vote over the football player that ran against me, a fellow named Mel Theylkeld. I'll never forget it.

Fry: Did you wish then that you had run for president?

Brown: Oh, yes. I made up my mind as a matter of fact then that if there was ever anything I wanted I would never be deterred by fear of losing. I made up my mind just as a principle.

Fry: That was kind of a moral lesson for you.

Brown: Yes, it was, it really was, because I never enjoyed being secretary of the student body, sitting in the back room writing the minutes. I won the election, but--

Fry: Well, that was one of your really big political lessons.

Brown: Yes. But in basketball--gee, I'll never forget. We used to play basketball from 3:15 (school got out at 3:30) until quarter to six. We practiced, practiced, practiced. I really got to be a good basketball player. Basketball and track would run about the same time, so it was hard for me to do both. One track meet I'll never forget. There was a meet over at Berkeley at the University of California, and the last event was the running broad jump. I jumped sixteen feet four inches, which was a foot further than I ever jumped before and got one point, which was enough to win the meet for my school--one point! And they were all waiting for us when we returned. It was one of the times I was a hero.

I got thrown off the basketball team too. I seem to have a tendency to get thrown off teams by the coach. I went down to have my picture taken with the soccer team and missed a basketball practice so he threw me off the team and he didn't let me back in until they had won the division. Then came the championship game, and again I was a hero. I was a left-handed dribbler, and I dribbled all the way down and with a one-hand shot sunk it in the basket in five minutes overtime. I remember that very, very well.

Fry: Is that why you liked to play all these sports, for these moments of--?

Brown: Oh, no, I just enjoyed it. I used to play soccer in high school.

Meeting and Marrying Bernice Layne

Fry: Now, tell me before we land how you met Bernice.

Brown: I think we were in the history class. I think I first met her when we were selling student body cards and she was the only one in school who wouldn't buy a student body card. When I first saw her I didn't pay very much attention to her. She was a little kid with long braids. She was only eleven and a half when she entered high school.

Brown: And you were what?

Brown: I guess I was a sophomore. I was a year ahead. But I'm three and a half years older than she is. Her birthday's this Saturday and my birthday's in April. She used to go to these parties with the Nocturnes.

Brown: the little club that we had. She'd go with one or two of those Jewish boys, these well-to-do Jewish kids would take the Layne sisters. There were three Layne sisters. Alice was the oldest. Alice was the least attractive of the three. Corinne was the second one. Corinne was a very, very attractive girl. I really liked Corinne more than I liked Bernice.

Fry: Did you take out Corinne?

Brown: I took Corinne out a couple of times.

Bernice was in my class in history and she was a very bright, sparkling girl, and I can remember walking home with her. It was a long walk from Lowell High School to her home. She lived on Seventeenth and Schrader and you'd have to walk from Lowell High School--it was probably a mile and a half or two miles and I'd have to walk her there and then walk home, but I can remember doing that.

Then I started taking her out when I was a senior and she was a junior. I think I had a real crush on her although I don't think she reciprocated, but she used to go out with me. There was another girl I'd take out. I can't think of her name right now. Catherine Ward. We were very, very chummy. But there was another boy, named Harry Bright, and Harry Bright and I would take out Bernice and Catherine Ward. But I really had a crush on Bernice. I think she's really the only woman that I ever really loved. I took out other girls when she was dating somebody else. She would date other boys. I'd date other girls but it was never really anything serious. Like Bernice went to a party it seems to me one day with someone else. I dated a girl named Bea Horowitz, who was an awfully nice girl. I have a very happy recollection of her as a very nice, well-dressed young lady in high school, and Bernice was there with somebody else. I kind of liked her. But I mean the evolution of it I can't remember particularly.

Fry: By the time you were seniors you were going steady?

Brown: I would say we went steady off and on. We fought an awful lot, and then when I went into law school--it must have been during the first year at law school--I had a date with her one night. (I could only see her on Saturday night because I was working.) She had an apartment over there in Berkeley. She must have been a junior. (I can't get the dates related.) I had a fight with her because she broke a date and said she was sick. As a matter of fact, I went over there and there was some other lad in her apartment and she wouldn't let me in. So I resolved that I would never see her again as long as I lived and I walked away. I always missed her but I had a determination. I thought she stood me up and I was through.

Fry: So it was a real insult to your pride.

Brown: A real insult to my pride. But she came down to see me where I worked in the cigar store. I'll never forget her walking by and I saw her. I was working there and she kind of walked by outside, on the street and then she walked back.

Before that we were quarreling all the time. I mean we were fighting and she really led me a pretty bad time. She was a popular girl and had a lot of dates and things and here I am practicing law and she stood me up which made me very unhappy. But then we started going together after she came down that time to the cigar store.

Fry: Did you go out to meet her as she--?

Brown: I called to her and she came over. I can't remember. We must have not seen each other for maybe six or seven months. It was a long time.

Fry: And you were in agony the whole time?

Brown: Well, I wouldn't say I was in agony but it wasn't too pleasant.

They used to all kid me about it though. Everybody knew me, and they knew Bernice Layne was Pat Brown's girl.

Fry: You mean in high school?

Brown: Yes, in high school, and after we got out, too. Everybody knew I had a crush on her.

But then a funny thing, when we went back together again, we never quarreled at all. It was just like--we'd go out together and it was really a completely different relationship. I don't know what it was. We settled down, or maybe she decided she loved me or something, and we got along very, very well and we didn't quarrel at all. We got married and everything was very, very--we always got along very well. But she was so unhappy the first months we were married, living at the Gaylord hotel in San Francisco. She hated that hotel. We were in the basement. It was all I could afford. I wasn't making very much money then. And she lost her job as a teacher because she was a probationary and couldn't teach. She was a substitute at the time. But it was a good thing because from there on out I had to make it. It scared the life out of me too.

We must have gone together maybe from the time I was seventeen until whenever we got married--we got married in 1930. We got married in October. I was twenty-five, I guess, and she was twenty-one and a half and she'd been teaching school for two years.

Fry: You were talking about how popular she was--

Brown: Oh, yes, she had lots of friends.

Fry: That brought to mind a quote that I read in which you said you were running against Reagan and the polls came out and showed that he was better in his showing in the polls with women voters than you were, and that that really bothered you. I wondered if in high school-- I assume you were pretty popular, Pat, because you were a sports figure and a class leader.

Brown: I had a lot of friends. I really had a lot--

Fry: Both girls and boys?

Brown: Yes, I had no trouble getting a date. But I was very short for the first three years. I'll never forget going to Clark's Dancing School and all of the girls were taller than I because the girls mature more quickly. And these girls at the dancing class weren't very good looking. I can remember we became their friends but we never really liked these girls at dancing school. [chuckles] They weren't very good looking.

School Friends in Later Life

Fry: There also seemed to be a schism in high school between the kids who were well-to-do and the kids who were not. You each went to different places when school let out in the afternoon.

Brown: Oh, yes, there was a group that used to go down to what they called the Bonbonier, which was down the street. They were some very wealthy children of wealthy parents at Lowell. Most of them were gentile kids too.

There were a lot of Jewish boys at Lowell. But this group--like they had a couple of fraternities and in these fraternities they wouldn't permit Jewish kids to get in. It was the first touch I ever had with discrimination. It never occurred to me before.

Fry: One of the fraternities asked you to join, didn't they?

Brown: One of them asked me to join and I wouldn't join because they wouldn't let Arnold Schiller in, who was my good friend. So I wouldn't join the fraternity when they wouldn't let him in. Then that's when we organized our own fraternity, the Nocturnes, and organized the other one.

Fry: Did the Nocturnes become--

Brown: Kappa Sigma Chi, yes. I probably was instrumental in getting them to change to a Greek fraternity. But these boys in that organization became my friends for life. I don't see them very often now.

Brown: Norton Simon I put on the board of regents. Benny Lerer was an old friend of mine. Most of these fellows did very, very good in their lives and their private lives. I didn't see very much of them but throughout my life they've been my supporters. When I was in San Francisco they always supported me for office, and even when I ran for statewide office they were with me.

As a matter of fact, Norton Simon gave me \$10,000 in 1950 when I was running for attorney general, which permitted me to run three great big ads the last week of the campaign, "Elect Warren and Brown," and that was the reason really that I was able to put this over. Warren didn't object to it, by the way, or I wouldn't have done it. We got word to him we were going to do it. We were afraid he'd repudiate it. He said, no, he wouldn't do that. He didn't like Ed Shattuck who was running against me and he liked my work as district attorney. But the fact is that Norton Simon, whom I hadn't seen for maybe seven or eight years, when I called him up and told him I needed this money, he gave me the \$10,000, and I never forgot it.

So when I became governor (he didn't give me very much when I ran for governor) I wanted somebody on the board of regents that knew business, that would be a little bit of a radical too, and had gone to the university (he went a very short time, only a year) so I put him on the board of regents.

Fry: Looks like it's time to get off.

More Sports and Social Activities

[Date of Interview: 11 January 1978]##

Fry: To pick up just a little bit on your high school. There are some stories that you told me that you remembered after we finished taping that concern you in your career as cheerleader which was your senior year, I believe, right?

Brown: Let's see, my low senior year I was cheerleader and my high senior year I was secretary of the student body.

Fry: You mentioned calling Bernice out of the stands once.

Brown: Yes, I was cheerleader and I had the big megaphone and so I'll never forget. She was up there and I had quite a crush on her and I said, "I now need someone to assist me in leading the yell." We had three men yell leaders and I said, "I think that we should have a woman do it. Miss Layne, will you please come down and assist me?" [laughs]

Brown: She wouldn't come down and I said, "Miss Layne, did you understand that the cheerleader wants you to lead?" God, she was so embarrassed but she came down anyway and finally, with some reluctance, led a yell. I guess she rather liked it even though she said she didn't. She doesn't remember that. I told her about it. I think she does. I was telling somebody about it the other day because you refreshed my recollection on it.

Another thing that happened as cheerleader, which has nothing to do with my romance with her. I prided myself on always being innovative as cheerleader. We put on the snappiest uniforms. We had white flannel trousers and red jerseys with a white megaphone across it and tennis shoes. There were three of us and we really looked very natty. The two assistants were a man named Si Anixter who later became yell leader and another fellow named Ralph McElwain. We decided that in the big game against Poly that we would have confetti and serpentine and as the team came on the field, we'd throw the serpentine and the confetti and balloons and everything else, that we would hoe down until the team came on at a narrow little aperture at Ewing Field, to come on to the field, why, we'd do it. None of the other teams had ever done anything like this! [chuckles] So, bango, out comes the team out from underneath and I gave the signal, "Let them go!" and the serpentine and the confetti and the balloons went up. The only trouble was that it was the wrong team, it was the Poly team! [laughter] Oh, my great fiasco, how I blew it! It was really funny. I tried to save some of it but the whole scheme went out the window. It was really funny.

Of course, in my high school too (and maybe I told you this) I was very light until I was a senior. In my junior and sophomore years I played on the hundred-pound basketball team, so you can see how small I was. Senior year I went up to 120 but I really only weighed 115 or 116. I played on the hundred-pound basketball team and we won the championship twice. I'll never forget. I was thrown off. I told you about that.

But in high school Bernice was in a history class where they had all the prettiest girls in the class and a very easy teacher, Miss Peckham. I'll never forget her. She never gave examinations. She read, she never asked any questions. She lived half a block from me and I liked her very much, but, God, she was a terrible teacher. You didn't learn any history at all because nobody did any work. She gave everybody B's and her class was known as a cinch course and we'd all go in there.

We had a fraternity and we called it the Nocturnes first. There was no segregation. Did I tell you about that?

Fry: Yes, you told me how you organized it.

Brown: We organized this with half Jewish and half Gentile. We didn't say, "this guy's a Jew, we'll bring him in" or "this guy's a Gentile, we'll bring him in." It just so happened. We really had a great group and a great group of girls. They were really--we had a lot of fun and a lot of dances and things like that. As a matter of fact, on New Year's Eve, we had a clubroom out on Twenty-Eighth Avenue in San Francisco and New Year's we wouldn't take the girls that we ordinarily invited to the party. We always had a lot of girls that we considered push-overs. I mean this party would develop into quite an orgy before the night was over with in high school. I mean, imagine, high school, to run a place out there on Twenty-Eighth. That was way back so the noise couldn't be heard or anything. I'll never forget it. We had this place and it was really--we furnished it. We never did any cooking or anything but it was quite a clubroom.

Then we used to have also dances at a place called the Alladin Tea Room. We'd hire bands and, really, for high school kids they were pretty top drawer and the girls liked it. We had the prettiest girls in the school go to our parties. The same group, the same Jewish group, there was Benny Lerer and Si Anixter, Norton Simon, a fellow named Milton Morris, Herb Christ, Frank Hills--I can remember all these names.

Fry: How do you spell Anixter?

Brown: A-n-i-x-t-e-r. He went to Berkeley later on and he's a lawyer. His father owned the Riverdale Creamery in San Francisco, very well-to-do. Benny Lerer had Lerer Scrap Iron. Then there was a fellow named Herb Cutner and Perry Liebman, Gus Meyerson, Roy Cohen. [chuckles] I can remember those names from fifty years ago, and I remember them better than I can remember people I know today. But we used to have nice parties. They were really, really very good.

One thing that stands out that should be in the memoirs. Norton Simon and Milton Morris and some of these fellows were terrible gamblers. They would play for stakes maybe up to \$1,500-\$2,000. [tape interruption: answers intercom] So where were we?

Fry: You were about to tell me about how Norton Simon--

Brown: Oh, they would gamble. These fellows would shoot craps, they'd shoot crap by the hour and Norton had a mind like a machine. He could add a series of figures. He was one of these people that had a photographic memory, and with figures he was able to outdistance any of the rest of us. In shooting crap, he could say, "Four to five you don't make it, three to two--" He could keep all those things in mind and he won. He used to play with older people. He used to play the man that owned some tea room there, some tea room I can't remember right off Maiden Lane in San Francisco. They'd go down and shoot crap. When Milton Morris was ill, he had appendicitis or something and was in the

Brown: hospital, they were all up there shooting crap. The damndest thing you've ever seen! All these fellows have done well financially over a period of years. They were all very good, but it was quite a gambling group too. They all had automobiles except me. I didn't have a car.

Fry: You were a pretty good crap shooter too by that time, weren't you?

Brown: No, I was never very good. I was never much of a gambler. I was always kind of a sure-thing player.

Fry: There was one other thing in high school. You were eligible for two circle block L's on your sweater and yet you were ineligible because you were on one of the lightweight teams.

Brown: Yes, so I changed the constitution so that if you won two block L's or three circle block L's that made you eligible for a block L which I got. I got block L's, circle blocks, in basketball and in track. You had to make at least one point in track and be on the inter-scholastic team and I think I got one in soccer too.

• I told you I was president of the debating society, didn't I, and president of the rowing club and president of the camera club?

Fry: Yes, and I think you mentioned one of the topics that you debated too.

Brown: Resolved: that women should not wear uniforms.

Fry: No, you didn't tell about that one.

Brown: Or women should wear uniforms. I took the negative.

Fry: Do you mean to school?

Brown: At schools, yes.

Fry: Were the men wearing uniforms?

Brown: No, no. But they had the girls all wear the same thing. [tape interruption]

One other little private thing. Maybe I told you this. All these young men that were in this fraternity with whom I associated, they were all quite well-to-do. I, however, I told you about this-- my father was having financial difficulties so I kind of dogged it my last six months. I had enough recommendations at the end of three years, I think I only needed one or two more to go to college. But I didn't want to tell them that I didn't have enough money. I wanted to let them think I was so stupid. So I dropped my Spanish

Brown: course. I just took enough units to graduate. I knew I could get by on that. I had enough units to graduate very, very well. But the last year, the last six months of high school was really just--

Fry: Do you mean you made bad grades?

Brown: I didn't make good grades. I did make bad grades. I always made grades good enough to get by. But during the last two years at school (that would be '21, '22, and '23) my father had a store at 1035 Market Street and I worked in that store. I told you that too. I don't want to go back on those things.

Fry: You just sketched it in briefly that he had bad times somehow.

Brown: Yes, he had this long lease on this property at 1035 Market. He had a photograph studio in the back. He had novelties. Then he had a kind of a root beer, one of those great big barrels out in front. I worked there for two years and then one year I took, to earn more money, \$20 a month is all they paid seven days a week, I took a Chronicle route, a morning route, get up at 4:30 in the morning and deliver those papers which was difficult.

Fry: Yes, we have that too.

Brown: Okay, you better ask the questions because a lot of this is repetitious.

Bernice Layne and her Family

Fry: On that particular story we have just a small thing that we need to pick up, and this is why it was more of an insult to your status to not have the money to go to college then not have--

Brown: It's part of the psychology of a little kid. As I look back on it, it was stupid to do that. I was always aware of the fact that I didn't have enough. My family didn't have a car that I was driving around in. I think my father had an automobile then. I can't remember. But I was often very much aware of my status with respect to these other fellows. As a matter of fact, my wife still kids about it that when I'd date her, I would walk up to her house, we'd walk to the street-car which was five blocks from her home, go downtown to the theater and come back, walk the five blocks up to her house and I'd take a taxicab home! [laughs] I don't remember if I did that during law school or later.

I really had a crush on her from the beginning but she didn't go with me very steady at that time. I can't remember. It's not very clear to me about when we started really going steady, but I can

Brown: remember walking home with her from school and she lived in the opposite direction from me and it was quite a long walk. I can remember that. I can't remember how we started. I know we went together, we must have been going together because we were the talk of the way we'd fight all the time.

Fry: You did tell us about your break-up and then getting back together after which you did not fight!

Brown: She'll deny that but it's true, because I remember it very well. She went to Berkeley for five years to get her teacher's certificate. The first three years I think she commuted, which was a tough job in those days because you had to take a streetcar down and she had to walk five blocks to the streetcar. Then she'd get on a ferry boat. Then she'd take the Key System to Telegraph, so she had to transfer and then come back the same way. But the last three years she had an apartment over there, she and Margaret Gelder. They lived together over there in that apartment.

Fry: Her apartment was with Margaret Gelder who married--

Brown: Frank Mackin, yes, and during that period Margaret was Hiram Johnson's secretary.

Fry: In his Bay Area office?

Brown: In the Bay Area office. But she did go back to Washington for about six months.

Fry: Then I think we can go on to something about Bernice Layne's family. You haven't told us yet who she was.

Brown: Bernice was the daughter of a captain of police in San Francisco and a very famous captain, because he was the captain in the central district which is the downtown section where they had the Tenderloin and where most of the trouble--you get out in the neighborhoods, why, you don't have much difficulty. The central station and probably the southern station were the most difficult. The most able captain they put in the central station. That was the cream of the crop and he was there for a long time. He's of Scotch descent; they go back to Sir Roger Layne. His family had been in the United States for a long time. Her mother's name was Cuneo, half French and half Irish. Bernice was the third of a family of five, third daughter. There was one boy, Arthur, who was right after Bernice and then May who was about five or six years younger.

But Bernice was the best student of the three. She was by far the best student of the three. She was younger. She went to normal school--finished elementary school by time she was eleven or eleven

Brown: and a half and entered high school. She was an excellent student at school, pretty nearly a straight A student at Lowell. Latin, math; she was an extraordinarily good student. She graduated and went to Berkeley. As a matter of fact, they kept her back for six months. I finished in June '23, she should have finished in December '23, but they kept her back for six months because she was too young. She was only fourteen and they kept her back.

Fry: They wouldn't let her into college?

Brown: They wouldn't let her graduate.

Fry: From high school?

Brown: From high school. I think they allegedly disciplined her because they used to wear long skirts in school, down to their heels, long dresses. She went to school one day without stockings and they found out about it and I think they disciplined her or something. I don't know what the hell they did. You'll have to ask her about that. I can remember, she was the only--I used to take out other girls at school, but she was the only one I really loved.

Fry: There's some intimation that there's this irony about your father carrying on--

Brown: My father was the gambler and her father was the captain of police. But they were in different districts until later on. Later on when I was running for district attorney in the first campaign, my father was still alive. He was then in Captain Layne's district, but it was quasi-legal. These clubs ran--

Fry: They were private.

Brown: They were private clubs but nevertheless, the privacy was only a front for a gambling operation. They played poker in all of the private clubs and all sorts of games, stud poker and everything else in these private clubs and played for money. The clubs all had something else, they had places to eat or they had golf or something like that, but this club was just for poker. But they only played draw poker which was not illegal under the laws of the state of California. Any public gaming was illegal, any kind of gambling that was public was illegal under an ordinance in San Francisco and that's what they prosecuted on. It was really an infraction rather than either a misdemeanor or a felony.

Fry: So if anyone wants to write about how your father was at odds with the law who was represented by your best girlfriend, that would be a slight exaggeration?

Brown: Well, not exactly, because it was really illegal. They tolerated it in San Francisco; they tolerated this type of poker playing. But there was some question of corruption in those days, corrupting police. There was a graft investigation later on in the thirties. This was after I was admitted to the bar, the so-called Atherton graft investigation in San Francisco.* They threw about five of the nine captains of police out of the force because they wouldn't testify, but Captain Layne and a man named Charlie Goff, they both testified before the grand jury and were given a complete bill of health because nobody was paying them off; they were tough policemen.

Fry: Did your father have to pay off anyone?

Brown: No, he never paid off. He didn't make enough money to pay anybody off. But he was a gay Irishman. Let's see, he was born in 1870 so in 1923 when I finished high school and I worked in his place, he was fifty-three. Well, he was a relatively young man when I finished high school and when he was running that poker club, fifty-three or fifty-four. But he was a very pleasant man. For years he didn't drink at all. My father was a complete teetotaler. I can remember going out--they used to have this Uncle Tom's Cabin where we'd go for dinner. All his friends would drink, and he wouldn't drink at all. I was so proud of him.

My mother was a very attractive woman too. She was very handsome and dressed well. She spent a lot of money on herself. She had nice clothes. My mother used to go to lectures all the time. I'll never forget when I was a little kid--"Where's mother?" "She's gone to a lecture."

Fry: Let's go and get that whole story on yours and Bernice's decision to elope.

Brown: Well, that's a long ways down the path. Well, not so long--

* Investigation of reported graft in the San Francisco Police Department by the local firm of Edwin N. Atherton and Associates, probably privately financed Atherton's firm in 1938 prepared a report on corruption in the state legislature, and in 1939 a report on problems in the State Relief Administration.

III LAW SCHOOL, LEGAL PRACTICE, AND FIRST POLITICAL STEPS

San Francisco College of Law

Fry: We could go on to law school first.

Brown: Yes, I think that would be more chronological. I went to night law school and the first two years I worked for my father in this poker club out in front pressing the button. Did we go into that?

Fry: Yes, we did; but what we need to know is what gave you the idea of going to law school? You could have gone on in your father's businesses or something like that.

Brown: No, I always wanted to be a lawyer. I can remember somebody asking me when I was seven years of age, "What do you want to be?"

And I said, "I want to be a lawyer." When I was in high school I used to go down to the criminal courts and just watch the trials. Not too often, but I used to do it. I used to go down to the courts and I really, really enjoyed it.

Fry: In an interview that you had with someone else, you said that your mother suggested that you go to night law school instead of working.

Brown: No, that wasn't my mother that suggested it. She didn't know anything about the law. It was a man by the name of Jerome Schiller who lived two doors from me. He was going to night law school and he said, "Why don't you go to night law school?" I hadn't thought of it. I was going to go to the university for two years, and then go three years to law school, but when he suggested the night law school I decided to give that a go.

My father paid me \$150 a month which was a lot of money for an eighteen-year-old boy in those days, but that was the going rate for guys outside of a poker club pressing a button. So he said, "I'll give you the job and you do the same thing and you've got a lot of

Brown: time to study." You could sit there. There was very little business except in the morning when people were going to work or maybe at lunch and then going home at night. The passing trade for this cigar store was very, very light because the principal purpose of the location was not to sell cigars or cigarettes but to be the door-opener, to give the club the privacy by not letting anybody in that wanted to get in.

I'll never forget one time Captain Goff came in.

Fry: The captain of the police?

Brown: The captain of the police came by and he wanted to get in and I wouldn't let him in. I said, "Who are you?" He said, "I'm Captain Goff" and he showed his star. So I said, "This is a private club but if you want to go in, go in." I let him go in but it was a good thing that I did because it showed it was really a private club and that anybody couldn't get in, see. If he had to testify that this was public gaming, he couldn't do it.

There's one thing, too, that you've got to remember. They played, in these poker clubs, they only played draw poker because stud poker was illegal. Draw poker was not illegal--337A of the Penal Code. That was the law then; I think it's still the law that stud poker, to play stud poker any place is a misdemeanor in the state of California. The only law they violated was the law against public gaming in San Francisco.

Fry: What made it illegal?

Brown: It was illegal only if it were public, because you could play draw poker and it was no crime.

Fry: Pat, I thought you just told me that your father really was breaking the law?

Brown: It was really public, that was the reason. Not that he played illegal games, but the club phase of it was really a facade because anybody that wanted to join that poker club could join. I think you had to pay fifty cents but they'd give it to you if you wanted to play poker. It's like the Gardena poker clubs at the present time now. They cannot play stud poker out there. They can only play draw poker and a game called panginni. Those are the two things they play down there. But that's enough of that.

In law school I would leave probably at 5:30 or 6:00 and go home and have dinner. I can't remember who took over at night. I had to be at law school at 7:30. I entered law school in August of 1923 as a freshman. I can remember the first year we took contracts,

Brown: torts, criminal law, and maybe civil procedure. The first year I was a very poor student in law school. I just got by. I got by but my grades, I'm sure, were poor. They're all available, by the way, at San Francisco College of Law. I'd like to see them some day. The second year I got a little bit better.

Fry: I thought that you had loused up your chances to go to the University of California at Berkeley and yet you said that was what you were planning to do.

Brown: I think I intended to go to college even though I didn't go to the University of California. I don't know where else I would have gone. I had no thought of going to any other school. I can't remember that. But I do know that somebody said, "Why don't you go to night law school?" So maybe I contemplated that. This lad that told me to go to night law school I had known for three or four years before that. He was two years ahead of me in law school so probably when I was still in high school, he said to me, "Why don't you go to night law school?"

I would like to get my grades at San Francisco Law School and I'd like to have them in The Bancroft Library because the first year they were very bad. The second year they were a little bit better. The third year, outside of trusts, they were much better and the fourth year I was a straight A student. I got over ninety in every examination I took. Ninety-five to a hundred was A and I think I had four A's and one B.

I can remember as a youngster with the law, all of this was like turning on the light. All of a sudden the whole logic of law just opened up to me. It was amazing. The same thing happened to me in algebra when I was in the first year of high school, the first year of algebra. Jeez, I couldn't understand algebra and all of a sudden it dawned on me and from there on out, algebra was a lead-pipe cinch. It was just one of those things that once I got the theory--I'm slow to grasp something, but once I get it then I move very quickly in it.

But I enjoyed the law very, very much. I would work, I studied all day in the law office. Then at the end of two years, the secretary of the law school called me up and said, "How would you like to be the secretary to a blind lawyer [Milton Schmitt]?" I said, "Fine, what does it pay?" He said, "Eighty dollars a month." Well, I was making \$150 a month and running a dice game and making another \$150 to \$200 a month.

Fry: You were really in the chips.

Brown: I was really in the chips. I had the money. But all I'd make, I'd lend back to my father because he was always broke and he probably knew I was running this illegal dice game out in front. I was

Brown: violating the law beyond peradventure of a doubt. I was under age, under twenty-one. He'd run short and I'd lend him \$250, \$500, \$1,000 or something else. I'd saved it. I paid my own tuition at law school and I paid board and lodging at home to my folks and then I had something left over.

My brother went to St. Mary's. He finished two years after I did and he went to St. Mary's on a basketball--on an athletic scholarship.

Clerking for Blind Milton Schmitt

Brown: Then at the end of two years, as I say, the secretary, Robert Johnson, called me and said, "How would you like to be the secretary to a blind lawyer?" I said, "Fine." Even though the salary was half as much as I was getting as a law clerk, I took that job because I wanted so much to be a lawyer and I thought this would make me a better lawyer. I felt in studying law that I was too far away from it just reading law.

That was a tough job because I lived on Grove and Lyon in San Francisco, 1572 Grove, and I'd have to take a streetcar out to Eighth Avenue and Clement. There I'd have to transfer to a car that went down to Clement Street. Then I had to transfer again and go out to Twenty-Eighth Avenue and then walk two and a half long blocks, very long blocks. I had to be there by 8:30 in the morning to pick up Milton Schmitt, take him by the arm, we'd walk those two and a half long blocks, get on a California Street car, transfer to a cable car. The cable car used to go to Presidio Avenue, go down all the way to his office. His first office was at 450 New Montgomery. The building is still there, by the way. Bank of America is still there. I'd like to go back and take a look at it one of these days. I probably will.

I'd read law to him all day. I used to take my lunch. My mother used to make a lunch for me and I'd go the park, Portsmouth Square, and read law and eat that lunch. If it were raining, I'd sit on the steps in the building and read law because I had to get away for an hour to do my work. He was busy. I was with him practically all the time. He didn't have too many clients, but he was a studious lawyer. He had been with a big law firm before he went blind.

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Brown: The name of his firm, I'll have to give you the way it sounds rather than the spelling. It's Naphaly, Friederick, and Ackerman. That was the name of the firm.

Fry: Did you know any of these other partners?

Brown: No, that was an old law firm. It had really gone out of business probably in the late twenties, the firm. But Milton Schmitt, he was associated--he became blind. He was a blind lawyer, you knew that. He became blind during the world war. He didn't become blind from any casualty. He became blind from a disease of the eye. What caused it I don't know. He was a very fine man. You couldn't have worked for a man and be in that close contact with him unless he was a very pleasant person.

Fry: So you must have started working for him about 1925.

Brown: Nineteen twenty-five or '26, probably after graduation in '25. Yes, that's right, because I finished the work. I took a six weeks' leave of absence in 1927 before I took the bar examination to take a coaching course.

Fry: Did you get much court experience under him?

Brown: We were in court all the time. He couldn't read but if he quoted from cases on an argument or a demurrer, I would get up and read from the authorities to cite his position. He argued two cases in the supreme court while I was with him and I sat there with him in both arguments. We tried four or five personal injury cases on the plaintiff side during the period that I worked with him and I would sit there and help him select the jury. It was very, very interesting.

I developed a habit (and maybe I said this before) of, as we rode down in the streetcar (he was blind, we'd always get a seat because we'd leave after most of the crowds had left and we'd go home a little bit before)--he would talk about various things and I developed a habit of being able to read law and listen to him at the same time. I evolved a system that really worked out pretty well. I would just read words. I'll never forget it. I wouldn't try to understand the legal problem. I would just read words and numbers, if you will say, the first time. Then when I'd go back to it at night it was a funny thing how the mind magnetized or something like a computer in reading this and when I went back I could remember it.

In case law, some of the teachers were rather slow. They'd give us an assignment of thirty pages for the following week to read and study and brief. In one course, negotiable instruments, they had a slow teacher. At any rate, I finished the book at the end of two months, I read the whole damned thing and so then I could go back and review it each time. I did very, very well in all those subjects.

Fry: Once you developed that system. .

Brown: The last two years you go to school four nights a week and I went Mondays, Tuesdays, Thursdays, and Fridays. So I'd study Wednesday night. I'd study all day Saturday and all day Sunday. The only time I got off would be on Saturday night when I'd go over to see Bernice. I'd see her practically every Saturday night unless she had a date with somebody else, which she did from time to time, to my great displeasure.

Fry: Before that you went to law school three nights a week?

Brown: Three nights a week the first two years and four nights a week the last two years. But one other factor during the summer (I can't remember what summer it was), they had a summer session and on two occasions I didn't even take a vacation, I went to summer courses at night.

Fry: Two summers?

Brown: Two summers, yes, but I can only remember one. I can remember going twice. But I took a course in mining law and water law because they didn't give those during the usual session. The water law course was given by Samuel Wiel who has written a book on it and the mining law was given by an attorney named Colby. They were both experts and very good professors.

Fry: That came in handy later on.

Brown: It came in very handy when I was attorney general.

Fry: Can you think of any special case that you and Mr. Schmitt handled that you would like to give as an example?

Brown: Yes, we had one case involving a blind convict who lost his eyesight while he was working in a prison road camp on the Yosemite all-year highway. They were dynamiting and the dynamite had a premature explosion and the explosion went off and blinded him in both eyes.

Fry: That was a personal injury case?

Brown: No, that was a workman's compensation case. The question was, was he an employee? The law, of course, a convict loses all of his civil rights. Milton Schmitt contended that he was on a parole when he was working in the road camp up there, which was a very technical thing. But here was a blind lawyer before the supreme court arguing for a blind man and the supreme court went along with him. I said, "You'll never win this case, Mr. Schmitt," but he had great, great confidence.

Fry: Do you think he won it because of the blind factor?

Brown: Yes, that's the only reason he won it. The court just went along with him. They knew the legislature could change it later on, which they did.

Then there was another case, Liptak, a man who was blinded in one eye in a nonindustrial accident and then blinded in an industrial accident. The question was whether it should be a hundred percent disability or only fifty percent and he took that case and won that case too. He had a probate practice which produced good fees. His earnings were in the neighborhood of \$25,000 a year, which at that time was very, very good. When you think of how long it took-- he had to do his research through me for the trial.

I remember the case of Atlantic Fish Company vs. Dollar Steamship Line where codfish was sent through the Panama Canal and when it arrived here it was all rotten, the heat, they didn't keep it under refrigeration. We tried that case.

He had another case--these were interesting cases--Hoffman vs. Eastman Kodak where the Hoffmans went down to the Grand Canyon and took motion pictures and gave it to the Eastman Kodak Company to develop and they lost the film. At that time taking pictures in '26 and '27, motion pictures, was a very unusual thing. So he got a judgment for the whole cost of the trip to go back and take them all over again. But the appellate court reversed it, holding that they could only get the film back which was a terrible ruling. I want to get that gal on the phone and see if she got that notebook. [tape interruption: Brown makes telephone call]

Law Student Association; Visits to Yosemite

Fry: While you were in law school and working for Mr. Schmitt, I bet you had something political going on, that you were organizing something or being president of something at the time.

Brown: I organized the student body at San Francisco Law School. I can't remember being in any campaign. [tape interruption] Between law school and Bernice, I was pretty busy. I didn't have much time for leisure.

Fry: What do you mean that you organized the student body?

Brown: We got a student body president and we got out a journal too. We put out a journal there, a law journal, and I got that organized too.

Fry: This had not been done before?

Brown: I started a fraternity in law school, too. It was an interscholastic legal fraternity, Sigma Delta Kappa, and I got an affiliate in San Francisco Law School and I was president of that. [laughs] Oh, my golly!

Fry: Did you say the student body had a president but no organization?

Brown: They didn't have an organization when I came in. I organized the student body. It was a private--everybody was working during the day and going to law school at night so people didn't have any time for extracurricular activities. We probably only had in the whole school probably 130 students altogether in the four years. That's about all we had. Maybe they'd start off with about sixty but by the time they got to the senior year the night law school going was pretty tough. You'd end up with maybe twenty-five or thirty students in the class. That's all that would finish. It was a tough job. Most of them did pretty good.

I remember every year, I would take two weeks off, though, and I would go to Yosemite National Park during the four years I was at law school.

Fry: Who did you go with?

Brown: I used to go with Frank Mackin and Eddie Strehl and a fellow named Walter Hancock who later became a Jesuit priest. My brother would go up there with me too. We'd hike those mountains. I can remember one day we hiked twenty-seven miles and I just loved it.

Fry: In one day?

Brown: In one day, yes. Some of it was uphill! It was really--but I just, in my entire life I can't remember anything that I enjoyed more. Of course, at night they used to have the dance up there. I can remember sitting on the porch of Yosemite Lodge and when the bus would come in we'd look at the--we used to call it "look at the stock"--to see the women coming in. [chuckles] Then we'd pick them out. We'd say, "This one is for you, this one is for me." Of course, we weren't always successful in getting the ones we wanted. We'd have wienie roasts. As a matter of fact, I went to the dance one night with a fellow named Tom Lynch who was later my chief deputy.

Fry: And attorney general.

Brown: And attorney general. We were at the dance and Tom was taller than I was. There were two girls over there and I really liked the taller one better, but he didn't have the courage to go over and get her. I did.

Fry: He's quite tall.

Brown: He's quite tall. He's about 6'1", I guess, and I was 5'10 1/2". So I wanted this girl but he got her. I went over and introduced myself and brought them back. The other little girl was very cute, too. They were all University of California students and there were about eight of them up there on vacation. Well, those two got along like two bugs in a rug. You'd never seen two people--Tom I don't think had ever really dated another girl before. Her name was Pat Summers and by golly they got married and lived happily ever after. The other girl, I can't remember the name of the other girl but she was very, very pretty too. We'd go to these wienie roasts that we used to have around the beach. I have a picture now of Tom and Pat where she wanted to get out of the water. We'd go swimming at night if they were going to have a bonfire. I can just see Tom keeping her in the water; I never saw two people that really got along as well as those two.

Now, Bernice never was up there. She never was at Yosemite National Park with me until after we got married, or maybe after I got by the bar examinations we may have gone up there together. I can't remember.

My brother worked up there. I didn't work up there because I was working with the lawyer.

Fry: Harold?

Brown: Harold went up there with us. I can't remember when, but he hiked all over with us too. We were in great physical condition. At that time I smoked. I can't remember how much I smoked but I never smoked a great deal. But I only weighed 135-140 pounds. I grew until I was twenty-three years of age, an amazing thing, a very slow maturity. I think that's part of your genes somewhere along the line. But I can remember starting out in law school, I only weighed about 120 or 130. Bernice was almost as tall as I was when I first started dating her and I see people now that I regarded as tall people and now I'm taller than they. It was a very, very funny thing because I grew until I was twenty-three or twenty four.

Fry: You entered law school at eighteen?

Brown: Yes, eighteen and two months.

Fry: So you kept on growing all through law school.

Brown: I kept growing throughout law school and the people I thought were tall when I entered were not tall any more. Isn't that funny? It's a very peculiar physiological thing. I can remember when I started

Brown: practicing law and I was twenty-two, I only shaved twice a week. I was not very hirsute. It was a very slow development. I think it was somewhat of a slow mental development, too, because I noticed as I got into law school how much easier it became. Of course, not having gone to college and working all day, you don't get into that academic atmosphere. That's not the word. You don't get attuned to the study. One thing that's always bothered me is not having taken English or history in college. A person who goes to college doesn't realize it. I've always suffered from somewhat of an inferiority complex with college people--classroom contact that you have, pronunciation of words and things like that.

Fry: Words that you read but don't--

Brown: That's right. I read a great deal. I was always a great reader. I went to the University of California Extension. I can't remember whether I took that after I got through law school or whether I was doing that and law school at the same time.

Fry: What did you take?

Brown: I took courses, I'll never forget, from a man named Raymond Kitell who was head of the political science department at Berkeley. I took a course in philosophy, I took a course in the world's great books, I took ten great books and read all ten of them. That must have been after I got out of law school though because I couldn't have done that and gone to law school too. Then I took a course from Brother Leo. I took quite a few units.

Fry: Brother Leo was what?

Brown: Brother Leo was one on poetry. I can never forget him reciting this poetry. Poetry didn't have very much appeal to this uncultured young law student, but the way he read poetry it just came alive to me. I'll never forget that. [tape interruption: Brown makes telephone call]

Fry: We're still talking about your working for Milton Schmitt and law school. You had just mentioned that you feel ill at ease about some things that you felt you should pick up academically.

Brown: Yes.

Fry: That leads into a question that I wanted to ask you. You have written in Reagan and Reality that if you had it to do over, you would have gone ahead and gotten those recommendations in high school that were necessary for applying to an academic institution.*

*Praeger Publishers, New York, 1970.

Brown: I don't know whether I would have or not. It's hard to say. I was always a young man in a hurry, as I look back on it, coming out of law school at twenty-two years of age. I guess I was almost twenty-two and a half when I got by the bar examinations. I don't know. As I see people now who have gone to colleges and universities, maybe four years there would have done some good. I don't know. It's hard to say. You look back on your life, you don't know; what the hell, you can't tell. But let's go ahead.

Fry: To wrap up Milton Schmitt, what do you think you learned? Can you kind of sum up what this meant in your life?

Brown: In the first place, he was a very methodical man. In his blindness he had to move very carefully, so he slowed me up considerably in moving ahead. He was a very thorough man. [tape interruption: telephone] He was very thorough and very precise. He would have me read and reread something until he fully understood it and he would draft a document and redraft it, and he had a great deal of experience. So he really gave me a two-year head start on most young lawyers that had to do it after they got by the bar examination. This was a good apprenticeship program to say the least.

After I got by the bar examinations, I didn't know what I was going to do, so I stayed with him for--I got by some time in October, 1927. I stayed with him until January when he went out of his mind. I told you that, didn't I? The blindness turned into a mental condition. Have I told you about this? He had shown some signs of irrationality. He took larger offices and started decorating them and paying rent that I thought was far beyond his ability to pay. He and an attorney by the name of Harold Raymond were associated. They just shared office space together and I wondered where he was going to get the money to pay. Then he made the statement, "I'm not going to take any case unless there's a \$5,000 retainer fee."

Well, I knew very well he wouldn't get very many cases at that figure. But I didn't know. I couldn't just exactly figure out what he was getting at. For me, to show signs of irrationality now even though you and I were very, very close, it doesn't become manifest. It's kind of a slow, degenerative process.

But one day he had me measure a street with a tape measure. I told him, "I can get this at the city engineer's office."

He said, "No, you just measure it." Then he said, "You know, Mr. Brown"--he always called me Mr. Brown--"I'm Jesus" or something to that effect. "I'm like Jesus. I carry a cross like Jesus did. My cross is blindness." Well, that didn't sound so irrational. He had a lot of time to think about it and all that. But he had a case in court and he prepared a scurrilous writ of mandate.

Brown: He said, "Take this out and file it." I took it out and filed it, but I went in to see the judge and I said, "There's something wrong with Milton Schmitt. I don't know what it is."

The next day his wife called me up and she said, "You come up and get Milton." Well, I was a little bit afraid of the man. He kept talking about death and things, that he might want to take me with him. He said, "I'm going to make a million dollars for you, Mr. Brown. I'll make a million for myself and a million for you." I was afraid he might grab me around the neck (he was a very powerful guy) and choke me to death or something. He was really a very gentle man except when he got very angry, and he used to get very angry at courts and things like that.

I took him down there and kept him all day and then I returned him that night. The next day they took him to the mental institution. They took him to the psychiatric ward of the city and county hospital where he was committed to Agnews and three or four months later he died. I have no idea what he died of but it was probably paresis, probably tertiary syphilis. I could be very wrong about that and I might be doing the man a great injustice. I have no diagnosis.

A Variety of Attorney Associates

Brown: I fell into his practice. I kept almost all the cases he had. He had a probate case; he had three or four trials. I was twenty-two and as I told you I looked much younger than twenty-two because I only shaved twice a week. Here I was and these people, I'm sure they liked me but they wanted a more mature lawyer. They didn't think this young fellow just by the bar examination could get by. Then I began to get a few cases of my own.

Fry: Do you mean some of those dropped out?

Brown: I can't remember who dropped out, but I held a lot of them. I tried some of the cases myself and won them within the first year. Then there was an attorney who is now downstairs in the same building, 450 North Roxbury, by the name of Don McClure. Don saw me, we'd see each other in the elevator, and he called me in and asked me whether I wanted him to work for him. So I went to work for him for fifty dollars a month plus my own practice, and he paid all the rent and gave me a secretary and everything.

Fry: I wondered how you got started and what you did for law books and things like that.

Brown: I used his law books. Then when I was there with him for about four months or five months, he called me in one day. I was very busy with his work, but also very busy, I began to develop a little practice. I had a lot of friends around San Francisco. He called me--I can't remember the months but it must have been maybe around June--and said, "You're fired!" I said, "Why? Am I not doing satisfactorily?" He said, "You're doing very satisfactory work, but you're doing more law work than I am on your own. I'm doing you a favor. You might as well get out and handle your own practice." But I didn't have enough confidence to do that. So I went to work for an attorney named Jefferson Peyser. This was in the depths of the Depression. This was in '28.

Fry: Not yet was it?

Brown: Well, let's see. The Depression I don't think came until about '29 or '30.

Fry: The crash was October of '29.

Brown: Well, things were pretty good in '28, I guess. But the building business had already begun to flounder in late '28, and the kind of legal work Jefferson Peyser would do was working on mechanics' liens. He did a tremendous amount of mechanic lien work or material men's liens. As a result of that work, when the buildings began to fail, he would take over the building for the material men, the people who furnished the labor and materials on the job, would complete it, hold it in trust, and sell it. If they wouldn't go, he'd go into the bankruptcy court. He was very, very busy and I got into the bankruptcy practice then and learned the bankruptcy practice and worked with them for about a year.

But then I decided I had to strike out on my own. He wasn't paying me very much money, and so I went in with three other lawyers in the 111 Sutter Building--an attorney named Joe Anderson, an attorney named Ingemar Holberg, and an attorney named Les Gillian. They all did very, very well. But the way, I'm the only survivor. The other three are all dead.

Fry: I was thinking that Harold was in with you there.

Brown: Harold didn't get by the bar examination until three years after I did. He didn't get through until October of 1930. He went two years to St. Mary's. He's two years younger. Maybe he only went a year to St. Mary's. Then he went into night law school. But at any rate, he was three years behind me in law school--two years younger but three years behind me.

Fry: So you went in with Anderson, Holberg and Gillian?

Brown: Yes, just office associate. We all had our own law practice. I can't remember the history of when we went. I think Harold and I went in with a fellow named Ed [Simeon S.] Sheffy who was with California Land Title Insurance Company.

Fry: What kind of law practice was this mainly that you had with Anderson, Holberg and Gillian?

Brown: We were all individuals. I did mostly personal injury. I had a couple of small probates, probably would handle maybe twelve divorces a year, uncontested and contested divorces, small corporations. There really weren't any tax problems then. It was just a general practice. [tape interruption: telephone call]

Fry: So you didn't have any criminal work?

Brown: Maybe minor criminal work. There was one case. Oh, at the same time that I had this law business, I had a fellow student, a girl, who was the secretary to Federal Judge St. Sure. She was in my law school class. I went over to see her and asked to be appointed to defend people without funds. They didn't pay you anything then for doing it, and he assigned me to four or five cases so I did have some criminal practice in the federal court. I went over to the federal court and would defend these people for nothing. Some of them I tried and I really worked like hell on those cases. I can't remember the year that that was.

There was something I was going to tell you and I forgot about it, a criminal case. I had several criminal cases that I represented in the federal court. I tried one or two of them.

Fry: I think you were about to tell me one that you had in Anderson and Holberg's office.

Brown: I was making changes quite a bit then, trying to find my spot in this business. Oh, this was what I wanted to tell you. In 1932, Franklin Roosevelt became president of the United States. I was a Republican then. I was a Republican from the time I started until 1934. Tom Finn was the political boss of San Francisco and he was a close friend of my father's. So he called me up one day and said, "How would you like to be assistant U.S. attorney?" I said, "Gee, that would be great." I went home and told my family I was going to be appointed U.S. attorney.

So the U.S. attorney came over to see me and he said, "You're very young looking. You should buy yourself a new suit and a stiff collar so you'll look a little bit older." That was no impediment

Brown: to my getting to be an assistant U.S. attorney. [chuckles] So I went down and bought myself a new suit and got myself a nice new shirt a stiff shirt or two of them with a stiff collar (they used to wear stiff collars) and two or three neckties. I was living at home then. Gee, about a week or two weeks later I got a call from the U.S. attorney, I.M. Peckham, who was one of my teachers in law school. He was the acting U.S. attorney. There was an interim before the putting a Democrat in there. He was a Republican. He was the acting U.S. attorney.*

He came over to me and said, "Gee, I'm sorry. I can't appoint you." I said, "Why? What's wrong?" I thought it was maybe because my father had been in the gambling business that they wouldn't appoint me. He said, "I'll tell you why you can't do it. Senator Shortridge- [tape interruption: telephone##]

Brown: There was a holdover. I.M. Peckham was the chief assistant U.S. attorney and a man named George Hatfield was the U.S. attorney and he resigned, so Peckham became the acting U.S. attorney. Now, maybe he could have resigned before, but as I remember it was 1933. At any rate, let me give you the story and then we'll get the dates. He came over and said, "I can't appoint you." I said, "Why not?"

He said, "Because Senator [Samuel] Shortridge's son wanted his partner appointed, Henry Clausen." So Henry Clausen, who later became the grand master of the Masonic Order of the State of California, became the chief assistant U.S. attorney, took the job that I was supposed to take. So I found myself with a new suit and a stiff collar but no job! [tape interruption: telephone]

1928 Assembly Campaign; Tom Finn's Republican Machine

Fry: What about your 1928 run for the state assembly? How did you ever decide to do that?

Brown: This Milton Schmitt, he was an assemblyman. Did I tell you that?

Fry: He had been formerly?

*January 3-May 13, 1933.

Brown: He had been formerly. He'd served four terms in the legislature, a very conservative Republican from a very conservative blue-stocking district in San Francisco. He said to me, "Pat, never get into politics. Please never get into politics. It's unsatisfactory. You're a good lawyer. You can make money in the law business. Don't waste your time in politics."

I said, "I won't, Mr. Schmitt." But the first campaign that I get into was in November of 1928. So I ran for the assembly against Ray Williamson and a fellow named Frank Goodban, the three of them. Bernice and I were not married but we were going together. She must have still been in school. Yes, she was still in college. We didn't have any money. We had some signs and we had some cards--"23 years in the district." [chuckles] That was our slogan; that was my age, twenty-three years in the district!

She would ring doorbells for me though. She would ring one side of the street and I rang the other. We couldn't ring very many precincts. We did the best we could, but, God, it got pretty discouraging walking up those steps on those hills in Castro Street in San Francisco. It was the Twenty-sixth Assembly District. I'll never forget it: the ones she rang I carried, but the ones I rang I didn't win. [laughs] She was able to win them, but I didn't!

We only got 550 votes and the winner got 1,800. It was very small and the second guy got 1,100 and I got 500, so Ray Williamson was re-elected. I ran as a Republican. There was no Democratic candidate. As a matter of fact, there wasn't a single Democratic legislator in San Francisco I don't think at that time. Everything was Republican, the whole city was Republican at that time. Tom Finn was the political boss. He was a Republican.

I had very few people help me. My fraternity friends from Kappa Sigma Chi helped. [tape interruption: intercom] They put in money and put up signs and whatever money I had--[tape interruption: telephone] I made speeches around, but it just shows you that even as a youngster that I was really more interested in politics and government service than I was in practicing law. I just had that political bug from the very, very beginning in this thing. It was part of me.

Fry: You were out of law school and you'd give anything to be president!

Brown: One year, and I had the genes in me to run then. Of course, my wife (at that time we weren't married) I can remember she didn't want to say, "Vote for my boyfriend." She said, "My brother's running for assembly." [laughs] But I can just see her yet. She's four years younger than I am. That was 1928 so I was twenty-three.

- Brown: She was only about nineteen then or eighteen and she was still in school and trudging up and down those stairs for her boyfriend. We were getting along like two bugs in a rug then. We really got along very, very well. Of course, she didn't see very much of me so she didn't see enough of me to get tired of me, see.
- Fry: At that time the legislature only met three months a year or so, right?
- Brown: Yes.
- Fry: And the pay wasn't very much.
- Brown: \$200 a month.
- Fry: And what would your expenses be?
- Brown: Well, you don't think of that. You don't think of it. You get in there and \$200 a month, it's hard to figure out your finances at that time. For example, our rent when we first got married in 1930 was only \$45 a month.
- Fry: Two hundred a month was a pretty good income.
- Brown: Sure, it was.
- Fry: But I sort of get the message here that wasn't really why you ran. You ran because you were interested in the race.
- Brown: I was interested in politics and government from the very beginning.
- Fry: Also at that time, this was in August because it was the primary.
- Brown: Yes, it was August. That's right. They had primaries then. But the guy who won the Republican nomination had no opposition because there were no Democrats and this was a relatively poor district--Castro, Market, and that area--and still it was all Republican then. It shows you how things changed later on. Sam Grey challenged the Republican county central committee and Tom Finn's machine with some other candidates.
- Fry: I was reading about this in the Examiner. The paper never mentioned any of the other candidates. Finn's machine or organization came out backing a certain slate for assembly and senate posts. You were not one of those they backed.
- Brown: No.

- Fry: Did you have any relation to this larger movement that apparently was trying to weaken the Finn machine?
- Brown: No. My father liked Tom Finn. He'd borrowed money from Tom Finn, so Tom Finn was really a friend of mine. He was the one who later tried to get me the U.S. attorney appointment.
- Fry: However, he backed the incumbent in this election. Finn did; he didn't back you?
- Brown: No, no. The incumbent was his man. All the assemblymen were Tom Finn's men. They were all part of the Finn machine.
- Fry: Yes, I noticed that. They endorsed all but two of the--
- Brown: I went over to see him. I can remember going over to see him. He was very nice to me, but no. He knew I couldn't win so he didn't give a damn.
- Fry: What did you think of Finn?
- Brown: He was a genial Irishman. He was an honest man. I don't think there was ever any charge of corruption against him. He handed out the patronage and had a very strong political machine in San Francisco which turned out very well. [tape interruption: telephone]
- Fry: I looked through the Examiner reading the stories in all the issues in August, and I couldn't find you mentioned at all. Did you have any newspaper coverage?
- Brown: [laughs] No, none whatsoever. If I got my name in the Eureka Valley News I would consider myself very lucky! No publicity. We had some signs. I guess we spent maybe \$500 altogether of our own money.
- Fry: Who's "our?"
- Brown: It was just mine and maybe Gus Myerson, two or three of my fraternity brothers that got out for me. That was all I had. I didn't really expect to win. But it's a funny thing: I found out at that time that no matter how poor your chances are, if you're an optimist you always think you have a chance to win.
- Fry: You think in terms of the votes you did get actually?
- Brown: When I got five hundred votes I thought, "My God, I must have rung more than five hundred doorbells." We had a car. I went into all the stores and everything else. But that was my last venture until I ran in 1939 for district attorney and that cured me. That was '28, so that was a long time.

Fry: When you say "cured" you, do you mean--

Brown: I didn't run again.

Fry: You didn't want to run again?

Brown: Oh, I did. As a matter of fact, I got active in the Republican party. I supported Herbert Hoover in 1932. I made speeches for him and some of my legal work came [from that]. I was paid by the public utilities to fight municipal ownership. I was a conservative Republican but I didn't really have any political philosophy at the time. It was Hoover and I kind of liked Al Smith when he ran, but there wasn't any philosophic feeling like the young people of the Free Speech Movement at Berkeley had in '64 and '65. It was purely politics. It was winning for them. Because you've got to realize that the Democratic party didn't have any real philosophy then. I mean it was Cox and Al Smith and who was the other candidate? I even forget his name. I can't remember who ran against Harding.

Fry: In '28, Al Smith ran. In '24 wasn't it Cox?

Brown: Yes, I guess it was. But this was a development of mine as I moved along. My change in 1934 after Roosevelt had been in for two years, a lot of people thought I had changed because it would do me more good. Well, I had no idea whether it would do me more good or not, whether I went into the Democratic party. It was just that philosophically I felt the Democratic party was better. But I'm afraid we're going to have to terminate because I want to make some telephone calls.

Fry: Okay. I was going to ask you about some of the issues. Did you carry on an issue campaign? The issues were prohibition and a transbay bridge--

Brown: I was against prohibition at that time because we were all drinking and I thought it was hypocritical.

Fry: A transbay bridge. They had just decided it should be public, not private.

Brown: Good. I can't remember that.

Fry: Removal of the state gas tax law because the automobile lobby was getting stronger.

Brown: I don't remember those issues at all. I probably didn't pay any attention.

Fry: I'll let you go.

Brown: Okay.

##

IV ADVENTURES AS A YOUNG ATTORNEY

[Date of Interview: 23 January 1978]##

Building a Law Practice

- Fry: One of the first times I found you mentioned in the San Francisco newspapers was a case in which you were the attorney for a woman who--I thought I recognized the name and sure enough she was your mother--she was suing the streetcar company to keep up the streets beside the tracks. Do you remember that?
- Brown: Oh, yes, yes. Well, I represented some client. I used her as a nominal plaintiff, see, Ida Brown. [laughs] Ida Brown versus--wasn't it versus the California Street Cable Car or something? I don't know who I wanted--get that double chin out of the picture--I wanted--what the hell did I want?* What did the clipping say? You didn't bring the clipping down with you?
- Fry: No, I couldn't bring the clipping. All it said was that the suit had been filed and then later on in the story it mentioned that she was your mother and that was about it, and some statement that she felt that it was high time that the streetcar company or the cable car company kept the streets up--kept its tracks in a little better condition, and you mentioned that this was a city ordinance that had never been followed very well.
- Brown: Yes, I remember that. [laughs] I remember. I remember the judge saying, "What are you trying to be, an Adolf Uhl?" Adolf Uhl was the city pest. He would bring all sorts of lawsuits against the city.

*At the beginning of this session, Fry is taking photographs of Governor Brown.

Brown: The judge said, "What are you trying to do?" I'll never forget him. But I really had a good piece of litigation. The city charter mandated the cable car company to keep the space between the tracks in good condition. I lost it but I should have won it. The judge just didn't pay any attention to me, but I was really right about it. I remember the case though. It was an effort on my part to get known.

I don't know whether I told you this (maybe I did), I didn't have too much business, so another attorney and I decided we'd try advertising. All you could do was put your name in the newspaper. So Brown and Louis Lecera (I later appointed him to the bench), we just put our names, "Louis Lecera, Edmund G. Brown, attorneys at law." You couldn't put anything else in. You could just put your card in the paper, "attorneys at law." I think the only case we got as the result of the advertising were two people that were doing life over at Alcatraz. [laughs] But we decided that we could at least get a trip over to Alcatraz to see them. So we went over to Alcatraz Prison to see these two prisoners that wanted these two young advertising lawyers to try to get them out. When we got over there we found out they didn't have any money so we decided not to take the case.

Fry: What happened between you and the county bar association?

Brown: Nothing. You could (I checked it out) you could put your card in an advertising section of the paper, a personal column. You can't say "divorces" like you can today--"Divorces, \$100" or something like that. But that's all we put in the paper.

District Court Public Defenders

Brown: But then another thing I did, which is somewhat interesting. I knew a girl (she went to law school with me) who was the secretary to Judge St. Sure, who was a federal judge. So I went to her and I said, "Why don't you get me appointed to defend some of these criminals who haven't any money?" Did I tell you about that?

Fry: You did say that you did get some criminal law cases, but you didn't tell me about any of the cases. If you can think of some--

Brown: I can think of three that I had. The first one I had was U.S. vs. a man named Petras who was a Greek. He was charged with false swearing in a naturalization proceeding. They'd asked him whether he had ever been arrested in his preliminary examination and then they asked him again in the final one when he came up for the final

Brown: papers and in both cases he said, "No," and he got his citizenship papers. They later discovered that he had been arrested about fourteen or fifteen times so they charged him with false swearing in naturalization proceedings. So I talked to the Greek and he said he didn't understand the question. He said he thought that it meant found guilty of the charges, and in every one of these cases he had been dismissed with the exception of two misdemeanors and in the two misdemeanors he had pleaded guilty, and I think fined \$50 or \$100, two very simple misdemeanors. It was kind of hard to equate that with the defense of not understanding the charges.

So I tried it before a jury, and I can remember I didn't even know what kind of a motion to make. So I go over to the U.S. attorney when they finished presenting their case. I said, "What kind of a motion do I make? I want to get it dismissed. You haven't proven your case." [chuckles] The U.S. attorney told me to make a motion to dismiss; he was "helping the young lawyer." I think I was about twenty-three or twenty-four years of age at the time. It was right after I got by the bar examinations.

Fry: What did he tell you?

Brown: He told me what kind of a motion to make, which I forget now. I can't remember the type of the motion. But he told me that he didn't go along with me in the motion. He argued against the motion, but he told me the kind of a motion to make. So that motion was denied by the judge. My defense was, I put the man on the witness stand and [brought] out that he was a Greek and that he didn't understand this, didn't understand that and the other thing. Then I put on three character witnesses. I put on two priests, Greek orthodox priests, both of whom I knew. They testified they'd known him and all that, and they said he was of good character which was all they could testify.

But they got kind of mixed up in their cross examination, so in my argument to the jury I said, "I suppose the U.S. will indict these two priests now because their testimony was false in some immaterial aspect. This man who was charged here, you're going to convict him of a felony and take away his citizenship because he said that he wasn't arrested. He meant he hadn't been convicted and he hadn't been convicted in fourteen out of sixteen cases and the other two were little minor spittin' on the sidewalk cases." They were a little more serious than that--they were cheating in a crap game--but that's the way I argued. I'll never forget it. The jury was out about seven hours and came in eight to four for acquittal. So they agreed to dismiss the case. They dismissed the case against him for false swearing and decided they couldn't get a conviction after my eloquent argument--put "eloquent" in quotation marks!

Brown: Then they filed civil proceedings to take away his citizenship upon the grounds of fraud and misrepresentation. By this time, I had gotten very friendly with my client and so I was going to fight that too, but in the investigation it had developed, at the time they appointed me defense counsel for this man, that he had no money. He had to make a statement that he was a pauper; he had to take a pauper's oath, and the naturalization people, the investigators, found out he had \$5,000 in the bank at the time he got me for nothing! Can you imagine? So the judge said to him, "I want you to pay Mr. Brown \$5,000. He did a magnificent job of defending you." They didn't charge him with perjury again which they could have. But I had become so friendly with the guy I didn't go down and attach the money. I didn't go down and get the \$5,000 and he paid me about three hundred bucks and I never saw the guy again. He was just no good. They took away his citizenship. I lost that case.

Then I had another case--

Fry: Was this the first time you had taken a case where your client sort of proved unworthy of your efforts?

Brown: Do you mean unappreciative of my efforts or unworthy?

Fry: Unworthy.

Brown: Oh, no. I got a lot of them. You get--

Fry: I should say untrustworthy. At that time when you were so young was this an educational experience?

Brown: Oh, a very educational process for me. It hurt me to trust people like that, and then the fact that there were people that were liars and unappreciative. It had a profound effect. Of course, other than that I got trial experience. That's why I went down there to defend them.

I did pretty--I would try them all before a jury. I wanted jury experience, trying before a jury. Finally Judge St. Sure called me in and he said, "Mr. Brown, in appointing you to these cases--occasionally these people are guilty. They're not all not guilty." I think I lost a couple of cases. So he said, "I just suggest you make up your mind and see what you can do and make an argument for leniency." So the next case that came up was some fellow charged with sending an obscene letter through the mail. So he appointed me to defend this guy. [telephone interruption]

So this man had written a letter when he was in the county jail for statutory rape. He had, with the consent of the girl who was only about fifteen or sixteen years of age and I think he was only

Brown: about twenty, he had sexual relations with this little girl. So when he was in the county jail he wrote a letter to her and he said, "When I get out, because you testified against me, I'm going to get two great big niggers and they're going to hold you and I'm going to fuck you with them watching me." This he put in the mail and the letter was pretty obscene. So I took a look at the letter. He appointed me to defend him, I looked at the letter, and I thought, "Well, if this is the case, plead him guilty. The guy served a year in jail. I'll plead him guilty and ask for leniency."

So the guy came in. God, he was a young twenty-one or twenty-two. He looked like a mental defective but he didn't have any clothes to speak of. He'd been in the county jail uniform or whatever they had. I pled him guilty and I said, "The man served a year in jail. He did write a letter but he was angry with her because she'd squealed on him; but why don't you put him on a probation and give the man a chance." Do you know what the judge gave him? Five years in prison. Five years in prison! I was so crestfallen at the harshness of the sentence and on my inadequacy as the defense counsel that I asked the judge to take my name off the list of defending any cases. I didn't want to defend anymore. I never went back before that judge.

Fry: Was that Judge St. Sure?

Brown: Yes, that Judge St. Sure, A.F. St. Sure. He was an alcoholic. I probably got him the day that he had a bad night or something. He would [be] literally drunk.

Fry: There was a St. Sure in Earl Warren's district--

Brown: That was his son, Paul St. Sure.

[Bernice Brown enters and chats for a moment]

Representing County Employees; Bernice Brown's Civic Activities

Fry: I wondered what other litigation you had that was more or less public interest litigation at that time?

Brown: Do you mean when I was in private practice?

Fry: Yes.

Brown: This is not public interest but I represented the streetcar company--no, I represented a speakers' bureau, for which I was paid, to have the City and County of San Francisco buy the Market Street Railway, I made speeches for that. No legal work, but I was paid for making speeches. I don't know how much I got, maybe \$30 a speech or something like that, which supplemented my income.

I have some old books. I don't know whether I put them in the file or not, that would give my calendar back in those days. I don't know where they are, which would refresh my recollection on those things.

Fry: I wonder if those are in Bancroft.

Brown: Maybe. I don't know. I can't remember. My old day books and my old checks and things like that. But I can't think of much public interest--

Fry: I think there was one that happened when you were in private practice. It was a civil service case, too, to open up civil service examinations of a public official who's been appointed and people suspected that they had not appointed the one who made the highest exam score. They wanted the civil service exam opened for public inspection.

Brown: I don't know who I represented. As a matter of fact, at the time I represented the Federation of County Employees. That was all the county employees. I was their lawyer and my wife was the executive vice president of the League of Women Voters and she'd go in there to observe the Board of Supervisors. I'd be out there getting my clients pay raises and she'd be out there opposing them or opposing some other matter. So finally they very subtly suggested that if I wanted to keep the retainer, to leash my wife. That's like a leash on the Sixth Fleet or something like Eisenhower did in those days. So she resigned from the executive vice presidency which she enjoyed very much. Bern? Bernice? You enjoyed being the executive vice president of the League of Women Voters, didn't you?

B. Brown: [speaking from the kitchen] Yes, it was a hell of a lot more work than the presidency and you wouldn't let me take the presidency. You said I could take the executive vice presidency and as usual it was more work! The president was Harriet Eliel and she lived in Stanford. Her husband was a professor at Stanford and she was not in the city as much.

Brown: You ought to get my wife. She has a better memory than I have.

B. Brown: I've got to unpack these groceries.

Brown: The other one that I've got to tell you about, I may forget about it later. I was converted to Catholicism. Well, not converted but reconverted, as you know. You'll probably get down to that later in 1939. A little while later I get into politics. I came back one day and Bernice had joined Planned Parenthood! [laughs] God, I don't think I ever had a bigger quarrel with her in my life. She joined it and I said, "Gee, that will make everything I'm doing--it will make my conversion as phony as a counterfeit dime." Because Planned Parenthood recommends the use of contraceptives and to plan your births and all that sort of thing and the Catholic church opposed it! So she had to resign from Planned Parenthood. [laughs] Oh, I thought I'd die!

Fry: No wonder you're the one that became governor. Bernice was always having to resign!

Brown: Well, those are the only two times I think. Other than that she went along pretty good.

New Order of Cincinnatus and Other San Francisco Political Interests

Fry: Now tell me all that you can tell me about why you started Cincinnatus or who started it.

Brown: I started it. I read in the paper about an organization in Seattle that had been successful politically with the name New Order of Cincinnatus (there was an old Order of Cincinnatus). It was started there by a man named Ralph Potts who is still alive, by the way; I communicate with him occasionally. There was a big story in the paper about how they'd elected a mayor and three city councilmen. So that sounded pretty good to me. I wrote Potts a letter and I organized this group and we had Republicans and Democrats and non-partisans. The bylaws will show that it was an idealistic organization. It was just to do better. Then we had the first political reform because we demanded that the candidates file a statement of their assets and debts when they went into office, and they put that in a safe deposit box under neutral supervision. Then when they left office if there was any question, they could show that they had nothing other than their salary or whatever; to do away with any question of bribery. That was one of the things.

But we really had a group of idealistic young men and women.

Fry: How did you get them together, Pat?

Brown: I knew everybody. I was active in the young lawyers' group. As a matter of fact, I was one of the starters, one of the first founders of the Barristers Club in California. I founded the Barristers Club.

Fry: This was a spin off from the bar association?

Brown: No, it had nothing to do with it. But in the Barristers Club I met a lot of the young lawyers. The young lawyers, I got them all together and they had their friends and I brought them into a meeting one night and we organized Cincinnatus. Then I got Ralph Potts to come down from Seattle and address us. So he came down and talked to us and he was an inspiring speaker. I'll never forget how he was speaking and he took off his coat. He got us all really aroused. We didn't have any money or anything like that. But we weren't too nonpartisan. We ran on the first ticket, I'll never forget, Pardini, Elkington, Read, and Mead. We had one labor leader and we had one Italian and we had one Catholic and one Protestant. We had a group that could appeal to all of the religious factions in the city.

Fry: This was for Board of Supervisors?

Brown: This was for Board of Supervisors. Then my brother, Harold, he's the one that came up with the slogan, "Skip the first five." Did he explain that to you, where the incumbents by charter amendment gave themselves a prior position on the ballot so if there were twenty five people running, the incumbents were always the first five. So the first thing we did, we put billboards all over the city. Nobody knew what it meant: "Skip the first five." We plastered the city with "Skip." Everybody wondered what "skip the first five." Then we had a press conference and we announced our candidates and, by golly, we elected four of the five candidates.

Fry: I think the very first time, according to the newspaper articles, was the 1935 election right after you got organized and you had four or five candidates.

Brown: We only elected one. We elected Dewey Mead. Then the next time we elected three or four, I forget. We elected four of the five next time. I can't remember who they were.

Fry: That was when you had the slogan?

Brown: That's when we had the slogan, "Skip the first five." We only elected one. We had [Norman] Elkington, [George] Reade, Joseph Sharp, and [Dewey] Mead. Mead also got the labor endorsement. He was active in the labor movement, so we elected him.

- Fry: How did you keep your organization from being taken over by some larger and more powerful political organizations?
- Brown: They didn't pay much attention to us. They thought it was kind of funny. But we got the support right away. We got editorial and news support from a young editor of the San Francisco Chronicle, a man by the name of Paul Smith, who was a very young man. Mrs. Mike de Young liked him very much and appointed him publisher of the Chronicle and he made a tremendous success of it. I went over to see him and he liked this and he helped us tremendously. He gave us good publicity. Then I had a fellow named Jimmy Hicks who was a publicist and a fiery writer. Then we had Norman Elkington who's now an associated justice of the appellate court.
- Fry: Elkington did what?
- Brown: Elkington, he was a lawyer that I knew who was a Republican active in the Republican party. Of course, I had been active in the Republican party until 1934. I had made speeches for Hoover. This was '35, the first campaign, and I became a Democrat.
- Fry: The Examiner (I was a little amused) this was supposed to be a non-partisan organization but the Examiner took pains to point out that the president was Pat Brown, "a Democrat." An active Democrat or something like that. [laughter]
- Brown: I don't remember the clippings but we had a lot of fun and it was really--but you can see how the thread of my whole life was politics, I mean almost from the very beginning.
- Fry: That was the first political activity, is that right, that you got into it after--?
- Brown: After I ran for the assembly in 1928. So that was seven years later. But I was always active. I was active in campaigns, political campaigns.
- Fry: That's what we need to know because I don't think there's any documentation of that seven-year period.
- Brown: I can't remember.
- Fry: So you weren't just folding your hands--
- Brown: Oh, no, in 1932 against Franklin D. Roosevelt I made speeches with Norman Elkington for Herbert Hoover. I was on the speakers' bureau. I can't remember '28 when Hoover ran. Was it '28? Let's see, the election for president was in the even number years. Yes, 1928,

Brown: Al Smith versus Herbert Hoover. I made speeches for Herbert Hoover then too. I was rather active in the Young Republicans. I had been active in it and knew a lot of the Young Republicans. So I had hooks in both parties. In the Republicans when I was a Republican and then when I became a Democrat I knew the Democrats so in 1935 I knew them both.

There was another organization called the New Guard. Did you ever hear of the New Guard?

Fry: Oh, yes. Did you merge with them?

Brown: No, the New Guard was a precursor of Cincinnatus. The New Guard was a nonpolitical group in the sense that it didn't support candidates. Jesse Steinhart, who was one of the progressive movement of California and of Hiram Johnson, called a bunch of us young lawyers in and said he thought it would be good if we got into politics, and he gave us a little financing. We were to fight for issues on a nonpartisan basis rather than candidates. But in view of the fact that we couldn't support candidates, I came to the conclusion that this would never work, that you had to have candidates to be the catalysts for whatever you did.

Fry: Explain that about Jesse Steinhart's just giving you money to support issues. Were those issues that he chose?

Brown: No, he told us to take our own. But he brought the young Republicans and the young Democrats together on a nonpartisan basis in San Francisco. It was purely an idealistic thing and it gave us an idealism that carried on. But I've never been in a group before or since with such enthusiasm and such drive as I did in the New Order of Cincinnatus. That really was a lively fighting organization and they all enjoyed it.

Fry: I think along about 1938 maybe, after you had already had a couple of campaigns, the file shows that there are memos and letters going back and forth about where are you going and what are your true objectives and everything's in a mess and you don't have any money. In fact, you're in debt and you owe money for the past campaign and nobody knows what anybody's going to do. [chuckles]

Brown: Where was this? Where did you find all this?

Fry: This was in that Cincinnatus file in Bancroft. I don't think you were any longer president at that time, so I wondered, do you remember that?

Brown: Yes, we kind of faded away.

- Fry: It sounded like a terrible crisis and that probably then either faded away or it picked up again and you went on into the '39 election.
- Brown: In the '39 election we used Cincinnatus for my campaign for district attorney. I became the candidate for district attorney. I don't know whether we ran anybody for mayor but finally the organization became my organization and they supported me.
- Fry: It sounded like it was a typical, classical crisis of an organization that had met with success and everybody heaved a great sigh of relief because now they were on their way and people feeling personally responsible maybe. Do you think it took a turn at that point?
- Brown: [looking through papers] These were the bylaws. These were all you sent me. Then you sent this.
- Fry: Oh, that's a fragment of a speech of yours that is in the files. It's a real rabble-rousing speech for Cincinnatus.
- Brown: Dan Shoemaker became president. Dan was later appointed judge by Earl Warren and then I elevated him to the appellate court. He was our closest friend. [pause] At 1461 Schrader. That was my home. That was where Bernice and I lived at that time.
- Fry: Is that where they're getting their committees organized?
- Brown: Yes.
- Fry: Well, I didn't see any material in the Cincinnatus file about your district attorney campaign.
- Brown: Before we go on, let me get rid of this cigar.
- Fry: The organization went statewide apparently, because you were referred to as state chairman once in the newspapers. Did you get a chapter going in Los Angeles?
- Brown: I think we tried to get some others. Yes, I went down to Los Angeles but it never got very far.
- Fry: They established one legally, but do you think it was pretty inactive?
- Brown: Yes, I don't think it ever moved very far. [tape interruption: Brown leaves room]

Office Associates and Clients

Fry: Should we go on now to your conversion to Catholicism or should we go into your district attorney campaign? Which comes first?

Brown: The reconversion came first. I think maybe you ought to go into that. I'm just trying to think if there's anything more in my private practice. We had a very interesting situation. We had a firm called Brown, McDonnell, Mackin, and Brown. Have you got any of that in there?

Fry: No.

Brown: Well, that was the name of our firm: Brown, McDonnell, Mackin, and Brown. We were only associates. We really didn't have a partnership. Each one took care of his own business but we shared the office expense and all that sort of thing. We had nice offices in the Russ Building and we were doing quite well. This was in the days of Prohibition.

Bill McDonnell was also an undertaker and he would appear in the federal court after participating in a funeral! He had a federal criminal practice, but he brought a lot of business in because he was active in Irish circles. Frank Mackin never had very much of a law business. He was an old friend of ours but a good lawyer. I later put him on the bench too. All these people who later were in Cincinnati with me, most of them were active, ended as appointees of mine in some way when I became governor or district attorney, not so much attorney general. But we had a pretty good practice, my brother and I.

Of course, in 1941 when the war came along, Harold and my brother Frank, who became associated with us just before the war, maybe three or four months before the war, they both joined the Navy and went off to war. So I was left with their practice. They brought in a man by the name of Ray O'Conner to help me with the work because I couldn't do it all. All the lawyers were gone and I was so busy at that time doing very well in the practice.

But between October '27 when I was admitted to the bar until 1943, when I was elected district attorney, that's seventeen years. I practiced law, active in politics, active in the bar association. We formed another organization called the Contact Club. The Contact Club was an organization where you'd have one of every group--one doctor, one dentist, one CPA, and one automobile salesman and we were supposed to get business for our brother members and each one of us to give business to the other. That was a source of business and I made some friends in that that lasted me for a long time, like

Brown: the dentist, Dr. Parkinson, was my dentist. Dr. Fred Neiman, who was a doctor, became my doctor. He was an old friend of mine in high school and he and I have become friends. He was a Seventh Day Adventist and a very religious man. I think that he kind of planted the seed of religion. I was more or less of an agnostic, but he kind of planted the seed of faith. He was so sincere and so religious. Bernice and I would go over to have dinner with him and his wife and he would read the Bible and things like that. So I got kind of the seeds of a faith, let me put it that way, from him.

Then there was another thing that I organized too. I was a great organizer! We had a man by the name of Abram Bieride who was a Protestant minister. I can't remember the faith. But he came to me, sent down by this Ralph Potts of Seattle, and he said they had a group that read the Bible--Protestant, Catholic, Jew, atheistic, agnostic. They had this Bible-reading class that met once a week and you would read the Bible. You would meet for breakfast in the morning at 8:00 at various places and we read the Bible from cover to cover. We started from the Genesis. We read it aloud.

Fry: You just went through it.

Brown: Went right through the Bible, reading maybe two or three chapters and then we'd discuss it and we had some very intelligent people--Jewish, Protestant, Catholic. Fred Neiman, I got him, he was very active in that too.

Fry: Who else was active in that?

Brown: Oh, I had this Dan Shoemaker, he was in it. This was a greater variety of people than Cincinnatus. In Cincinnatus you couldn't be in it if you were over thirty-five, you know that. As soon as you're thirty-five out you went. We wouldn't support any candidates over thirty-five. [chuckles] I think we changed that when I ran for district attorney. We had to change it for me to be endorsed. I can't remember that period. Of course, that's a long, long time ago so it's rather--

Fry: You can't remember all the people?

Brown: No, I can't remember all the people. I remember that Harold and I finally opened our own law offices. I can't remember where we had them. We were in 111 Sutter. We were in the Russ Building when it was Brown, McDonnell, Mackin, and Brown. Then we moved over to these other offices. I was with an attorney named Simeon Sheffy for a little while. I can't remember. This was before the war started.

Fry: Before Frank and Harold went into the Navy?

Brown: Yes. I represented a man by the name of William Newsom. That business came to me as I can remember from my wife, because she was very friendly with a man named Reinhardt who had Reinhardt Lumber and Planing Mill Company and he got the law business for the Reinhardt Lumber and Planing Mill which was a big lumber company. During the days of the Depression, back in '28, '29, and '30, that's when I started, in the depths of the Depression. During that period of time, the collection accounts supported me. It really had a collection business too and mechanics liens because Reinhardt Lumber would be the biggest creditor of a building that failed. I can remember all those things.

Fry: Mechanics liens?

Brown: Mechanics liens or material men's liens. You'd supply lumber to a building and if they didn't pay you, you had a lien on the building that came after the first mortgage. The first mortgage was superior to everything. But that would be a lien that if anybody attached this would be superior to the attachment, provided the attachment was not on before you rented the material. If you furnished the material, the lien was superior to a writ of attachment, which is a legal thing. I don't think you have to get into that.

Fry: It sounds like a kind of typical depression attorney's job.

Brown: Well, it was. It was a depression attorney's job and I got into the bankruptcy practice. I had quite a bankruptcy practice during '32 and '33 during the Roosevelt years. Let's see, I was admitted in '27; I think my brother was admitted four years later, '31 or '32. He went to St. Mary's. He was two years younger. He finished high school two years later. He was at St. Mary's for a year and then he went to law school for four years, so he was probably four years after me and I brought him in with me right away.

Fry: Were any of those bankruptcy cases something that later had something to do with your life? Anything that we have to know about?

Brown: No, I don't think so. I can't think of anything that happened. During the war, of course, we represented Nippon Dry Goods Store and they owed a lot of money to the Bank of Tokyo. The Bank of Tokyo failed and they filed a lawsuit against Nippon Dry Goods and the bank had a lot of the securities of Nippon Dry Goods. Some of those securities were Tokyo Light and Power and I can remember the bank saying they wanted to sell them and I fought the sale and appealed it and delayed it and stalled it. I was able to stall it for three years until after the war and after the war the stocks went up again. They were worth nothing during the war, but they became quite valuable two or three years after the war.

Fry: So you saved that.

Brown: We saved that for them and they had a great deal then. I think that's about all. If we think of anything later, we can insert it later on about my career.

Return to the Catholic Church

Fry: Have you told me everything that planted seeds in your mind about--?

Brown: My mother was always a religious person, but a nonsectarian person although she became a Unitarian. I used to go to the Unitarian Church occasionally and I'd go to the Catholic Church occasionally because I really wanted some faith. But finally, I'll never forget, when Olson was elected governor in 1938, I had been very active in his campaign, the Democratic campaign for governor. I was his treasurer for northern California. I got into the campaign and met a Democrat by the name of Leo Cunningham who was a practicing Catholic. I'll never forget; he invited me to make a retreat at El Retiro.

Fry: Oh, he's the one.

Brown: He's the one that invited me to make this retreat. I went down there, El Retiro down there in Los Gatos. I didn't know anybody down there at all. I had to share a room with a man by the name of Ed Durkin. I remember that very well because we later became good friends. I went down there and I didn't know anybody down there at all.

Fry: Then it was just a weekend retreat?

Brown: A weekend retreat. You go down Thursday night, you'd have Thursday night, Friday, Saturday, Sunday, and you'd come back Monday morning, early Monday morning. You'd go to mass early morning. This retreat of Father Harold Ring impressed me very, very much--what he said about the fundamental basis of Catholicism, if the love of God will not keep you good maybe the fear of hell will, burning in hell forever. Well, that never impressed me at all, I mean the burning hell. That was kind of contrary to my sense of reality of God or anybody else. I thought that was the basis of Catholic religion. When I went down there, Harold Ring talked about love of God and it was not fire and hell that you should fear, but the fact that all of us have aspirations and no matter how successful you are in life, and no matter how good life is, you're never really satisfied. There's always something you're reaching out for and that reaching out, under Harold Ring's theory of God, was to join with God after

Brown: death, the soul joining with God which was the termination of that you seek forever. This was his thesis and it was really beautiful, the love of this good God, this great human being that's indescribable. He taught love to people. Love was the basis, love of human beings. It so impressed me that--and then he also lectured that there was nothing bad in the world, there was nothing evil. The only thing that was evil was the misuse of it, like drinking. Drinking can do you good. Morphine is evil if misused, but it has good qualities too in the relief of pain. Without going into the whole doctrine of Catholicism, this retreat in silence and quiet really hit this emotional young man as I was then and am now, very, very much.

But I hadn't been to communion since I was maybe fourteen or fifteen and this was in '39. I was thirty-four years of age, so I came back and I'll never forget. I went over to the Paulist Fathers. They're around the corner there on California and Chinatown. I told them that I would like to discuss religion with them. He said, "Where's your parish? Go back and talk to your parish priest." I went back and talked to my parish priest and he left me cold too. I can't remember who it was, some young priest.

At any rate, I read a book called Carl Adam, The Philosophy of Catholicism. I don't know who gave it to me. [Bernice Brown enters. Interruption while she takes photographs of Governor Brown and Fry.]

Fry: So what else contributed to your conversion?

Brown: So I read that book. Then I read another book on humanism by Walter Lippmann. I read several books and I discussed it with several people.

Fry: What Catholic priest did you finally find to discuss this with?

Brown: I never really found a Catholic priest. I did it by my own reading more than I did any clergyman of any kind. Well, I'll never forget I came back and asked Bernice--she doesn't like this story. I said, "Will you get married again?" She said, "It if will make you happy, fine."

B. Brown: I don't mind it if you tell the truth. You embellish and use a little poetic license. You put words in my mouth, that's why.

Brown: We had three children and she said she would bring the three little bastards with us! [laughter]

B. Brown: That's not what I said at all. I never did say that and you know it!

Brown: [laughs] Oh, that makes it another story, doesn't it!

B. Brown: It's just like he tells the story when we went in to see President Carter. The president asked me a question and I said, they way he tells it, he says, "Mr. President, I can't hear a goddamn thing you're saying. You're talking too goddamn low. You're mumbling." He tells that story on me, which you know isn't true.

Fry: It sounds more like Pat Brown!

B. Brown: The only shred of it is I didn't hear what he was saying and he asked me a question and I just said, "I'm sorry but I'm hard of hearing and you happen to be beside my bad ear and I didn't hear what you said." He said, "I know my staff tells me I mumble."

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Brown: I went into it very intensively and I talked to a great many people. It wasn't a sudden St. Peter vision or anything like that. I really read a great deal and finally came to the conclusion that I wanted to return to Catholicism. So I went out to St. Ignatius (I'll never forget it) and went to confession again which I hadn't been for maybe fifteen or sixteen or seventeen years. I'll never forget, the young priest or whoever it was that I saw was so gentle in his remarks and was so thankful that this lost soul had returned to the fold that that gave me a sense of God's forgiveness, too, which also strengthened my faith, and I became a very devout practicing Catholic for many years.

It really changed my whole attitude toward politics and everything else. I really didn't care when I ran for district attorney again whether I was elected or not. I mean whatever God willed was all right with me. It played a tremendously moral influence on my whole political career throughout this period of time. I really embraced Christianity and tried to live with it. I won't say I did all the time. I fell by the wayside on many an occasion, but it strengthened me and strengthened my goal in life.

For example, in one thing, the church didn't teach me this but it was part of the collateral conclusions you came to: that I could not say something about somebody unless I knew it to be true. In other words, I couldn't slander anybody even in a political campaign, or deviate from the truth in a political campaign any more than I could slander you for some purpose because we had a quarrel or something like that or do something evil.

I raised all the children, of course, Catholics. Bernice was a Protestant who was never converted, but would go on Christmas and Easter; and she really sent all the children to church and

Brown: when I was away campaigning or doing things, even though she was not a Catholic she raised all the children Catholic. So I had them in the public schools and I sent them all to the public schools. But then later on I got them all sent to Catholic schools. Jerry went to St. Brendan's and Cynthia went to Star of the Sea and then she met her husband, Joe Kelly, who was the basketball coach. Barbara I sent to the Convent of the Sacred Heart and then from there she went to the University of California. Cynthia is the only one who is really practicing Catholic now. Jerry, I think, has the residual effects of the three and a half years in the Jesuit order but I really don't think that he goes to communion or observes the sacraments.

But it really was a day-to-day occurrence in my life and I got into tremendous arguments over it, too, with people. I became a real proselyter. I tried to convert everybody. In fact, I can remember getting into big quarrels with Dan Shoemaker who was a good friend of mine, to the point where they got kind of bitter. That's how much of a--

Fry: Because you were trying to convert him?

Brown: Trying to convert everybody. I don't mean that if you came into my law office, I'd try to convert you--but people would come in. I had a divorce practice at the time and I really questioned whether or not I would handle divorce cases any more because the church did not believe in divorce and I was aid or abettor.

I joined the St. Thomas More Society which studied canon law and found it very interesting and attended regularly and delivered a lecture myself on canon law after some reading. But the church played a big influence in my life.

Fry: I have a lot of questions about this that enter my mind. Did this seem to be a time in your life when you really felt that something was missing out of your life and that you had a real inner drive to do something about it?

Brown: I think my mother always played a part in an underlying philosophy of life, but her philosophy was so anti-Catholic that I think the revelation of intellectual Catholicism and the real philosophy of the church impressed me very much. I made a retreat every year for year after year, never missed it from I'd say '39 until the time I was elected governor, throughout the attorney general days. I made a retreat before I got into the campaign for governor and I made another retreat in '62 before the Nixon campaign to show you the continuity of my faith going back--that's about twenty-three years.

Brown: Just to get it into perspective, I think it was after I left politics and I started going to this Church of the Good Shepherd down here on Santa Monica that I began to get seeds of doubt about the fundamental dogma of the church from some of the sermons that they delivered down there.

Fry: The Church of the Good Shepherd?

Brown: The Church of the Good Shepherd, yes. It was nothing that violated my conscience in any way. But I'm kind of a mainline shooter; it's all or nothing. One of the dogmas of the church which you must believe is that the Virgin Mary was bodily carried into heaven on the wings of an angel. The Assumption of the Blessed Virgin Mary is pronounced by the Pope as a matter of faith and morals. I could never buy that. The evidence of it was in my opinion very weak; and here I was professing a faith, but I did have doubts about it. I talked to priests about it and I never got a satisfactory answer to it. I read about it, but it always seemed very weak. So that kind of planted the seed of doubt. I think it was about three or four years ago I stopped going regularly to church. I don't know when I stopped. Now I've gotten out of the habit completely. I go maybe once in two months. I still contribute to the church and go on Easter and Christmas when I'm here, go with my family whenever they're here. When my only practicing Catholic daughter, Cynthia Kelly, comes down we always go to church together. Over in Hawaii we all went to church Christmas day. My wife didn't go, but I went.

I still consider myself a Catholic but I haven't been to the sacraments for maybe four years, I guess. I haven't been to confession or communion in four years. I haven't kept up with the church and I don't go down there. But you get the broad view of it. I made a retreat every year and I enjoyed it very much. I didn't always go to El Retiro. When I was attorney general, I went to the Passionist Fathers down here in southern California. Then I went to a Jesuit retreat at--I forget the name of the retreat house down here. Then I went to one of the Franciscans'.

I have a cousin who is a Franciscan priest, Father Burton Chandler his name is. He took the name of Father Everett but his name was Burton Chandler. Just as a matter of curiosity, not curiosity, a matter of moment, he called me about three months ago and said, "I'm getting married." So after twenty-five years in the church, he met some woman out in a little parish church in New Mexico and fell in love with her and left the priesthood. He's been released from his vows, but he still goes to church. She was a very devout Catholic too.

Fry: What order was it that you finally related yourself to--did it matter what order?

Brown: No, I don't think it makes any difference. But in the Catholic church there are orders such as the Paulist fathers, the Jesuits, the Franciscan fathers, the Passion fathers. There are nine or ten orders. They're all part of the church, all under the authority of the bishop in the area where they are, but separate leadership. The Jesuits, of course, have the father general who's in Rome and they have a different order. They all have their own retreat. Then they have the lay priests that are not members of any order. They're just part of the diocese and the Convent of the Good Shepherd down here has a lay priest. They're part of the archbishopric of Los Angeles.

Fry: But aren't associated with just one order.

Brown: That's right.

Fry: What was El Retiro?

Brown: El Retiro was the Jesuit retreat.

Fry: I think we need more on what that was like, that long weekend you had at El Retiro. You said you didn't know anybody there. Did the man who first convinced you to go, wasn't he there?

Brown: He didn't show up so I really didn't know anybody there, and after inviting me to go down, telling me he'd meet me down there, he didn't show up.

The retreat itself consists of religious exercises, early morning prayers, then mass, then breakfast and spiritual exercises during the day. Then they have about five lectures a day, the last one being at 8:00 at night. They last about from thirty to forty minutes. The lectures are on the faith of the church. There are different subjects like on death. They have a discourse on death. They have a discourse on faith. For many years, I carried their little program along with me. It's a little small program with the prayers. They have the stations of the cross, the way of the cross; you walked around the mountain down there. It's really beautiful. It's good for a non-Catholic to go too. You don't have to be a Catholic to go. They have the rosary around the mountains there; you walk around the mountain saying the rosary. The way of the cross, you do that too.

Then at night, the only time you can talk is for a half hour after dinner. Then lights go out at 9:30 or 10:00 and you're up early. They keep you busy all day. You keep rolling. The food is good and during the meals it's silence too. They have readings from the Bible or spiritual readings of some kind. Very, very good. I'd like to go back again. I'd like to go back and I probably will.

Brown: As a matter of fact, I've been invited to go down at the end of this month. But I've been 'so busy and I travel so much. But I became very, very religious. The very fear of death, fear of dying in an airplane. But I had no fear of death as it was, but I had a fear of dying in mortal sin and going to hell rather than going to heaven.

But one of the things that you pray, you have prayers--

Fry: You mean afterwards or before you went to El Retiro?

Brown: After I returned to the church, if I can put it that way.

To show you how--they had one period of time when you get on your knees and you say prayers. Then you pray for your family, for their health and their safety and all that sort of thing. Then you pray for the sick and the priests. You offer up a little prayer for all of them. In one part of the prayer, one part, you pray for the most forgotten soul in purgatory. In the Catholic religion theoretically there is heaven, hell and purgatory; and the logic of it is that you hope if you die you immediately enter heaven, but most people will die with some sins on their soul but not enough to condemn them to everlasting fire. So those people go to purgatory and they stay in purgatory for--there's no such thing as time, but you pray that they'll get out of there.

Fry: They're retrievable?

Brown: They're retrievable. They will eventually get into heaven. The prayers of the faithful are supposed to assist them in getting out of purgatory.

Fry: How do you select--?

Brown: You don't know who he is, but you just pray for the most forgotten soul and then whoever it is, it's somebody that nobody else is praying for, your prayers will reach God and get that person out of purgatory.

Religion and Elected Office

Brown: To show you how your religious faith can influence you, when I became governor and I'd go to church, I would pray that my works as governor would reach the most forgotten person in the state of California, that somewhere there was some person that needed the help of California government and that my work as governor would reach that particular

Brown: person. I used to pray for that all the time and that was a goal that I saw. You can understand some of my things that I did in welfare and the blind and the mentally ill and all that based upon that faith that your good works would reach out and reach them. So you can see how the church did affect you and the fear of defeat.

In the discourse on death, there's a very, very eloquent, not at all somber but very rational and very logical statement that you're all going to die some day. I think that there's no question about it and there's nothing else that you can do, that you do all alone. You die all by yourself. There's no way you can avoid it and your friends and relatives can be around you but you are dying and it's going to happen to you and you can't take anything with you. There's no pockets in the shroud. You just can't take anything with you. They emphasize that fact so that material is good, it's not bad, but it is not the end goal in life. The end goal in life is to serve God in this world by doing good works and doing good things and loving and then living with it forever in the next. That's the basic theory of Catholicism, which is very interesting and very, very consoling.

I used to go to church and I'd think to myself, "Gee, you see these old people there in church at 6:30 in the morning and nothing else to sustain them other than the faith of the church. They probably had difficult lives and the church does give satisfaction to those people. I went down to Mexico and you can see the dogs in the church and the human beings are like this and all that sort of thing and the only difference between the dogs and the people was their faith, between you and me. They lived like animals and everything else.

So it really gave me an inner strength that I wouldn't have gotten as an agnostic or a person without faith, in my political years and other things too.

Fry: How did you feel when you finally had to make your official concession to Reagan and you really knew he'd won?

Brown: Well, I felt very badly that my good works were not appreciated but I knew that I was going to lose in the campaign. I could sense it, you could feel it in the campaign. When people would ask me about fair housing, whether I believed in fair housing and I would say, "Yes, certainly I believe. You can't have any discrimination in housing," I'd see even the union people walk away from me. Just like this busing. I mean there's no such thing as a liberal when it comes to black and white relationships. They're just negative about it, that's all there is to it.

Brown: Reagan, I'd watch him on television and I thought he was stupid and his statements were illogical. He didn't make a case against me. But he was appealing and he was a nice-looking man. He looked well. His wife was pretty and he was a new face and he talked about no government at all. In my book on Reagan I said that he was a person running to be the head of a government to make government work and he was like an atheist being elected pope.* He didn't believe in government and still doesn't believe in government.

Fry: What I'm trying to do is draw some connection between your religion where you said it gave you a different outlook on defeat and if you could describe how--

Brown: Defeat never--the way I felt about all my campaigns from when I ran for district attorney was that I had a four-year contract with the people of the state of California. I was district attorney of San Francisco. The people were entitled to know where I stood on issues and what I did and I thought and I should be open about it and let them know and not hide anything and if they liked it they could renew my contract, but I had no right to deceive the people at all. If they didn't like it, they could terminate my contract. I mean the governorship is not the end-all of life. Even though there were tears that came to my eyes when I was defeated and I didn't like it and I don't think I got much faith out of my religion in defeat, other than the fact that it was part of my entire being, I'm sure that it softened the blow tremendously, that was all there was to it. I didn't think God had punished me for being a bad governor or a bad man morally or anything like that.

Fry: You were defeated first for district attorney [1939] about a year after this reconversion, I guess.

Brown: No, I was defeated--maybe it was within a year. Maybe it was 1938. No, I had gone to the El Retiro during the first year of the Olson administration. So I must have gone down there in '39.

Fry: It could have been even shorter.

Brown: No, it couldn't have been. Olson was governor because I know Cunningham was a judge at that time. He was Judge Leo Cunningham, and he was the one that got me to go down there. So, let's see.

*Reagan and Reality, The Two Californias, Edmund G. (Pat) Brown, Praeger, 1970.

Brown: Yes, '39 was my first trip to El Retiro. Then when I ran for district attorney again [1943], I don't think I thought of religion in winning or defeat. I didn't think God had his arm around me or anything like that or that he was going to put me into it, because I was in politics before I had my religion. That was a part of my genes somewhere along the line. I don't know where I got them, but I wanted to be a politician, I think, from the days (as I think I stated to you before) I used to watch them count votes for the precincts around San Francisco.

Parenting and Confession

Fry: Getting interested in a church sometimes happens when you have children and you feel that you really want a good, ethical upbringing with a structure that they can be guided in. I wonder if that had anything to do with it?

Brown: Oh, I think so. As a matter of fact, I think that probably after having three children we probably wouldn't have had any more. We probably would have practiced some sort of birth control. But Kathleen came along after Jerry. She came along seven years after Jerry. He's thirty-nine and she's thirty-one. So it has a profound effect on everything you're doing. I would consider that my return to the church played a decisive part. I think my wife has played a very important part in that she's been a source of great strength in victory and defeat and also in impressions that she's made and her influence on me has always been for the good too. She's a very good, moral person. You never hear her talk about anybody or anything like that. She gets a little more angry than I do in situations. She doesn't readily accept difficulties as I do. I don't attribute that to the church. It's just that I'm more careless than she is. Like sending the kids to church when she doesn't believe herself. Some mothers would revolt or would fight about it. Like when I said, "Would you like to come to church with me?" she said, "If it will make you happy, fine." I think she enjoyed the Catholicism too whenever she went.

I think it made me a better husband, too; it's hard to say.

Fry: One of your interviews that you did with one of your ghostwriters, you mentioned your very first confession after you were reconverted.

Brown: I told you about that when I went in there and I said, "You can put me down for everything. I've done everything." I thought he would probably give me a penance of eating bread and water for a

Brown: week or something because I told him I had [done] everything in the book. I said, "Just write me down for everything, Father--twenty years of sin!"

In the church the penance is usually, they'll say, "Six Our Fathers" or a rosary or three Our Fathers and three Hail Marys and they'll admonish you. They never turn you down if you're contrite. Although the priest gives the word of forgiveness, it's God that forgives you so God knows whether or not you're telling the truth. I mean, you can't fool Him. So the priest will not try to substitute his judgment. He will go through the mechanical signs of absolution. You're absolved of all your sins. So if you lie, you don't tell all your sins; even though he gives you absolution you really don't get it.

Fry: It doesn't work that way!

Brown: It doesn't work, in other words. You're still in danger of hell's fires. It's awfully hard in Catholicism, if you've read anything about it, to really commit a mortal sin. I mean to commit a mortal sin, you really have to have premeditation. You've got to plot it and plan it and then do it. If it's done involuntarily or you do it in passion without thinking that the external influences are so great, it would not be a sin that's irredeemable. I can't give you the whole of Catholicism. I've studied a great deal and I became at one time a pretty good student of the dogma of the church and I think that's one of the things--I continued to read about it for years, years even after conversion, and I was always testing my faith by reading attacks upon Catholicism by other religions or other clergymen. Not the violent, vicious attacks of the anti-Catholics.

It still influences me to some extent like on abortions and pornography and things like that, a divorce. I have troubles with permitting them like Governor Burn of Hawaii. He was a very devout Catholic, a daily communicant. He went to church every morning. By the way, I did, too, during Lent for eight or nine years during the entire Lent from Ash Wednesday until Easter Sunday. I would get up every morning at 6:30 and go to Mass and go to communion, so it was a real faith thing. Even today, I miss it and I have a feeling that one of these days I will return to the church. I think I'll go back even though I still have these doubts. But maybe it's for the reason that I want a faith, that I just can't believe that you're here, you and I are able to rationalize and discuss things and then suddenly [strikes fist] bango, that suddenly disappears. Like Kennedy. Here he is a young, virile, active man and bang, some boob puts a bullet through his head and that's the end. That seems to me to be violative of all the order

Brown: of the world. But I still can't conceive of heaven and hell and purgatory. I have doubts about those things so I would put myself, I'm back to my agnosticism of thirty-five years ago. Maybe something will recharge my batteries again. Are you a religious person at all?

Fry: Yes, in a very mixed way.

Brown: How were you raised?

Fry: I was raised a Methodist and I'm sort of Unitarian if anything. But I've also had a lot of influence in the Eastern religions. So I've just sort of relaxed, Pat, and apply it where it's needed.

Brown: Eastern religions are beginning to play a profound part in American life today.

Fry: I was interested that Jerry is influenced by Eastern religions.

Brown: Yes, I think so. I've never discussed religion with Jerry. I haven't even asked him whether he goes to the sacraments or what he believes or anything like that. When he was down studying for the priesthood, Bernice and I'd go down there. We could only go once a month for two hours and we'd go down there for two hours and walk around. Then we'd philosophize together.

Fry: What about when he was at home? He was a boy when all this was happening and you went through this period of years when religion was something that was a very important, sensitive matter to you, and I wondered if you had any discussions with your kids at the dinner table or anything like that?

Brown: I can't remember any. Jerry, of course, he must have been about the third or fourth grade when he went to St. Brendan's. He went to the little school right around the corner.

Fry: St. Brendan's?

Brown: No, St. Brendan's was about ten or twelve blocks away. He either walked or took a bike. He took his bike. As a matter of fact, he had a bike stolen twenty-four hours after he had it at the church. But he went to West Portal School for a little while. All my children did.

Fry: That's public?

Brown: A public school right around the corner. Bernice, whenever we would move, she wanted to be close to a school so the kids could walk to school, within walking distance. The high school they went to was only two and a half blocks from my home, three blocks I guess.

Fry: So being there with kids of mixed religious backgrounds, did that bring up any questions at home?

Brown: No, that didn't have any effect on it at all. I can't remember any religious discussions. I belonged to a discussion group at St. Brendan's Church, too, that we met once a month on a Thursday which was very interesting. We'd go there, a group of neighbors out there, and talk about philosophy, and some of them were pretty learned people. But some of them were pretty technical. I'll never forget a fellow named Stanislaus Riley asking a question about, "When you pray for the archbishop should you pray for the coadjutor bishop?" How silly can you get? That's how technical some of these guys are. Those things always offended my sense of religion. But along the way you meet a lot of very intellectual Catholics, excellent writers. Faith, of course, is a matter of--it's like your digestive system; you know what's happening but you can't explain it. [chuckles]

Capital Punishment and Abortion

Fry: You mentioned how this affected your ideas on abortion--

Brown: What time is it?

Fry: It's five after four.

Brown: I want to stop at 4:30 because I want to go down to the office.

Fry: Okay. How it affected your ideas on abortion and divorce and so forth. Did it also affect your ideas on capital punishment?

Brown: No. As a matter of fact, because Catholic morals justify capital punishment, capital punishment is not violative of the rule, "Thou shalt not kill." I've discussed this with priests; some of them believe, some of them don't. But capital punishment is self-defense. The only moral justification for capital punishment is that it deters others. It will save you life. If we kill X, it will deter some other murder, so then it's society exercising a function of self-protection and self-defense. That's the theory of the pro-capital punishment moral. I agree with that. I have no quarrel with that. I think that the state has the right to take the life, if it will

Brown: deter. The only thing is, I don't think it deters. It certainly doesn't deter the way it's administered in the United States where they have the long appeals and trials. Maybe if they try a guy in a hurry like they do in England, I'm not quite so sure that capital punishment wouldn't deter and you'd get some of these people that will stop, by fear of being caught or something. But the way that it's administered and there are so few executed, I just feel that it's just murder now by the state. It doesn't do a damn bit of good.

But the church had no influence on capital punishment. As a matter of fact, I discussed it with priests, some of whom believe in it, some who don't. But it did on abortions, for example. I had some trouble with it at times. As a matter of fact, when I was just returning to San Francisco, there was a woman, a very devout Catholic girl, who was crossing the plaza in San Francisco, coming home from church on Bush Street in San Francisco. (I can't think of the name of it now; I knew it.) She went home that night; she used to walk through the park and we didn't have as many rapes as we do now and some black man came out with a knife, pulled her into the bushes and raped her. Like a lot of women, they don't say anything about it; they're a little bit ashamed of it. Sixty days later she found herself pregnant by this black man.

So she went out to the University of California in San Francisco. I was district attorney then and the doctor out there called me up and said, "We think this woman should be aborted. She's carrying this rapist's child." She was single, too. He said, "It was a black man and it's affecting her mental condition." The law, of course, prohibits abortions except for the purpose of saving life. I said to him, "What effect will it have upon her life?" He said, "It could kill her." I said, "It's legal to commit that abortion if she wants and you want it. I certainly will not prosecute."

But we prosecuted this Inez Burns when I was district attorney and she was performing ten abortions a day. That would be about 200 a month. She'd take them up to maybe three months and you'd have a little fetus at three months. You've got an active human being and, God, she put it into one of these meat grinders after she performed the abortion and that was very repugnant to me and it still is. It seems with all the modern ways of preventing births today, none of which with the exception of without contraceptives is acceptable to the Catholic church which makes it kind of tough on a Catholic. That's hard too though because at the immediate point of conception, bango, that's a new human soul in the eyes of the church. I've never been able to measure, well, when do you stop?

Brown: If a person's raped, what they will do if they go to the emergency hospital, they will immediately scrape the uterus of the woman; they'll do that anyway. That would be permissible because that would be for the purpose of prevention of disease and if the prevention of disease also lost the baby, that's too bad.

Fry: Can you accept that?

Brown: Well, I have a difficult time. But on the other hand, I have a difficult time accepting abortion. When can you do it? If you trimester it, at the end of three, at the end of six months, one hour after birth. When do you stop it? They can arrest the birth of a child any time up until eight months, and you've got a child that's pretty well developed at eight months. Of course, the supreme court, I think the supreme court will leave it alone. I'm willing to leave it to the legislature. I don't think it's a constitutional right of a woman to have an abortion. I have difficulty with that. But I think it's something that each person has to kind of decide for themselves. I don't like to make it a constitutional right. I think that whatever the majority of people think--

I agree with Jerry, though, on the theory that if they're going to have abortions, the poor should not be the only ones that can't have them. I can't buy that theory, that the state shouldn't pay for them. Carter says, "Well, different things happen to different people." I can't buy that at all.

Fry: Would you go along with abortion if the baby damages the health of the mother?

Brown: Of course, that's always a big argument. Who goes, the mother or the child? The mother cannot safely have a birth. I think you've got to make a judgment under those circumstances as to what should actually be done. I don't think you can make any generalization about it at all. I had a case. A friend of mine in San Francisco, he was with the PG&E legal department, a very devout Catholic and his wife had a baby and she had to have a caesarean and the doctor said, "I wouldn't have any more children." So, God, within fourteen months she had another caesarean. The doctor said, "Jesus, you've got your wife all cut up on both sides. You really shouldn't have another one." Within fourteen months, I'll be a son of a biscuit eater, bango, out comes another one and this time she damn near dies. So the doctor said to him, "If you have another baby, you're going to kill your wife. You just cannot. I don't care whether you use rubbers, but don't have it." But he was against using rubbers: mortal sin, preventing birth, can't do it. I'll be a son of a bitch, within sixteen months, he's got another baby. Gee, they went to church

Brown: every day and prayed for the life of the mother. I'll be a son of a gun, if she didn't have a premature birth, normal, at seven and a half months, and the baby lives. [laughs] But this time they had to perform a hysterectomy on the woman because she would have died. That's permissible under those circumstances. But don't ask me to give you the whole moral doctrine of the church. Most of the priests don't understand it. Our Jesuit philosophers really get into these things.

Fry: I'm interested in Pat Brown's moral philosophy.

Brown: Theory, yes, well that's what I'm giving you.

Fry: How are we doing on time? It's 4:15.

Brown: Let's go fifteen minutes more.

PAT BROWN THEN AND NOW

Pat (left) at age 10,
with Ross Tichnor, 9,
and brother Harold, 8;
in father's photography
shop



As San Francisco
District Attorney

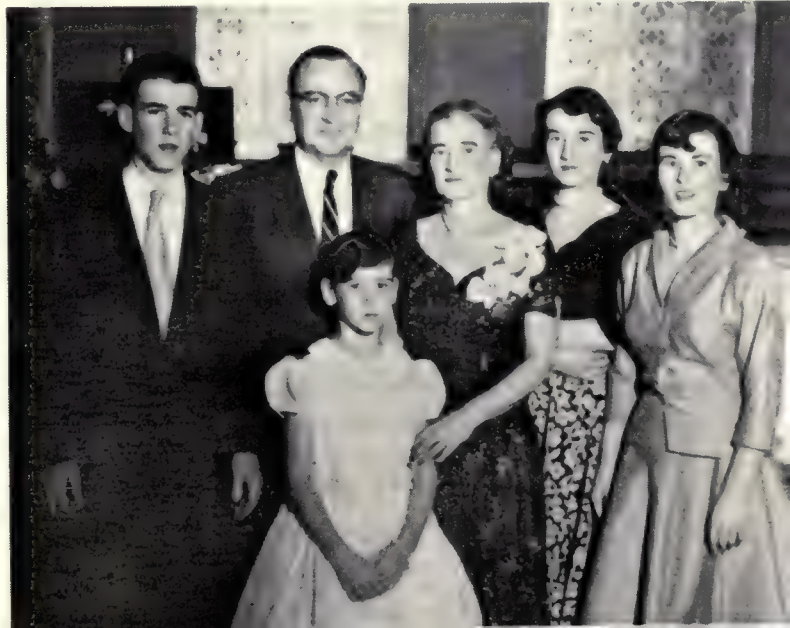


At a Democratic meeting with state
chairman Oliver Carter



Photograph by Mrs. Brown,
January 1978

Family portrait, ca. 1958:
Jerry, the candidate, Mrs. Brown,
Barbara, Cynthia, and Kathleen
(front)



V SAN FRANCISCO DISTRICT ATTORNEY; STATE AND NATIONAL POLITICS

Trial Run for DA in 1939

Fry: The next topic is your running for district attorney against Matthew Brady in 1939. This man had been in office for a long time.

Brown: Twenty years, yes.

Fry: Sixteen years maybe at that time.

Brown: Oh, '39. In '39 I went to Brady and asked him for an appointment as a deputy DA and he wouldn't give me a job. So I thought he was a terrible district attorney. He didn't do anything. There was a graft investigation in '35 or '36, the Atherton investigation. I didn't blame the police; I blamed the district attorney for letting those things get to a point where some of the police would take graft money. It was part of the San Francisco system. The police were only creatures of what the general public of San Francisco wanted. All Brady had to do was to call the chief of police in, tell him, "I know that some of your cops are grafting. If you don't want them to go to jail, you better cut it out." But he went along with them. He never took graft himself however. I thought he was a terrible district attorney.

I was very ambitious but I didn't think I could win my first time, but I thought I'd run. My Order of Cincinnatus was still around and I revived them so I was their candidate for district attorney. I wonder who we had for mayor? It seems to me like we had a candidate for mayor that time too. I forget who we had. It seems to me there was a candidate for mayor. I think we had Chester McPhee. I think he was the candidate for mayor against Angelo Rossi. We had a whole slate I think that time. I know we had a slate of supervisors.

So I ran and we had a campaign, I'm telling you! I rang doorbells and made speeches and everything else. I got a good vote. I made myself a record. People didn't think I had a chance and I came out.

Brown: I made a good showing. People liked what I said and I handled my campaign well. So it was an opening wedge for four years from then.

Fry: Did you have a third person running in that campaign?

Brown: I think there was some third person running but I can't remember who it was. I've never checked the records.

Fry: I was wondering if you had somebody who split your vote.

Brown: No, I would have lost anyway, I think, that year. But I think somebody did get about 30,000 votes. I think I got about 80,000. I can't remember. He beat me by about 25,000 or 30,000. He gave me a pretty good beating that time, but I can't remember.

I don't know what the returns were but I made a record, the same way I did later on when I ran for attorney general against Howser. I did well and I made friends in the campaign and made supporters, so I softened them up for four years later.

Fry: You got yourself established on a city-wide basis.

Brown: Right. People knew me and I got around and I had support and I made friends of some of the labor people and the liberals. The Longshoremen's Union and people like that, they were for me.

I represented the Municipal Streetcar Union during the war, too, I should add to that. This streetcar union, as a matter of fact, was an all-white union, no blacks. You couldn't join the union if you were, and they wouldn't take them in, and they couldn't get a job in a municipal railway.

So Roosevelt came out with an emergency order with respect to nondiscrimination. They could have stalled it, but I called Mike Foley who was the president of the union. I said, "You've got to let those blacks come to work." So the first black that went to work, some of the unions wouldn't work with him. But I called them in and I said, "You're going to go to jail for this."

Fry: Called who in?

Brown: I called the union leaders in and told them they had to let the blacks go to work. So I was an early nondiscrimination guy going back to even those days. They let the first black in and pretty soon you had quite a few.

Fry: Did this give you a good black constituency later when you ran?

Brown: Well, I don't think many people knew about it. I don't think it was generally known and I didn't make much of a noise about it either. I didn't want people to know about it. That was part of my religious training, that all human beings, white, black, yellow are all God's children and you cannot discriminate against them or that was mortally sinful. That was part of the idealism that I gathered from my religion, although some Catholics are bigots too.

Fry: Did the Municipal Streetcarmen's Union as a whole rally to your support?

Brown: Oh, yes, they were for me. My Municipal Streetcarmen's Union, they were all for me and contributed to my campaign, although I don't think I represented them in '39. I think I began to represent them after that. So in '39 I just had the support of a group of young people, that's all I had. I didn't have any newspapers supporting me or anything else. I don't think I had a single newspaper. They were all for Brady. But four years later the story is, I've told you, I wasn't sure I wanted to run because I had my brothers' practice and my own practice and I wanted to keep that shop open for them when they came back from war. So I went over to see Frank Clarvoe at the News, and I wouldn't have gotten into it if Frank Clarvoe had not said, "We'll support you." Then with his support I went to the Chronicle and got their support. That was harder to get, but with the two newspapers I knew damn right and well I could beat this fellow.

Fry: Was Catholicism any issue in 1939?

Brown: Not in San Francisco, neither one way or the other. As a matter of fact, I don't think people knew anything about it. This was a very private thing with me in 1939. My Catholic friends, of course, knew it and so did my Protestant associates who were around there but the general public [didn't]. I was a little bit of a guy. It didn't make any difference whether I was a Catholic, Protestant or a Hottentot.

Campaign Finance and Organization

Fry: I'm trying to get an idea, too, on whether there was any continuity between the people who worked for you on the 1939 campaign and those that--

Brown: Oh, I had them all. Going back to the Order of Cincinnatus, those people stayed in my campaign and worked with me. We campaigned for that supervisor every two years, so we had these campaigns going.

Brown: So everybody interested in politics was in it. Then when I ran for district attorney in '39 they were with me. In '43, by that time Cincinnati had died and they weren't active in it at all, because the war was going on, this was almost a personal campaign. We had a little more money. In '39 we didn't have anything. In '43 we had about \$20,000.

Fry: "We" being your campaign.

Brown: Our campaign, yes. The campaign consisted of--the three strongest supporters I had were William Newsom who gave me \$5,000, and Al Stern who gave me \$5,000, and myself. I put \$5,000 of my own money into it too. I don't think after that we raised more than five or six thousand dollars.

But there was a thing that happened in the '43 campaign (the one I won) that I may have forgotten to tell you. I just remembered it. Pete McDonough had been called the fountain head of corruption. That's what Atherton called him.

I told my campaign people, "Don't take any money from him. I don't want any money from him." Do you remember that? I think I told you.

Fry: Five thousand dollars?

Brown: I don't know whether it was five thousand or a thousand. I forget what it was. Bill Newsom called me up and said, "I just want to tell you that they took that money from Pete McDonough."

I said, "You give it back to him, Bill. If you don't, I'm going to get on radio"--there was no television then--"and I'm going to tell the people that my campaign people took the money and retire from the campaign." The next day Bill Newsome called me and said, "Thy will be done." He had returned the money.

##

Fry: You were saying that people like Ed Hills, who was an old childhood buddy of yours, and others have really helped in your campaigns.

Brown: Yes, they had. I had all my old friends in it and my old fraternity brothers too in Kappa Sigma Chi. [telephone interrupts]

[Date of Interview: February 9, 1978]##

Fry: I understand that Edgar Hills was your major money man.

Brown: In the campaign in 1939?

Fry: In '39, the one you lost.

Brown: Yes, I guess Ed Hills, Bill Newsom, and Al Stern. There were three of them. The only one that's still alive is Edgar Hills.* Did you ever talk to Edgar Hills about me?

Fry: I'm going to.

Brown: Have you talked to Harold again? My brother, Harold?

Fry: No, not yet. We haven't been able to set a date that's convenient, but we shall; so if you have any ideas of questions to ask these people I'd like to know.

Brown: When you get back to Harold, I'd go into the early days.

Fry: Oh, that's what I'm interviewing him on.

Brown: When we both sold Christmas cards and delivered papers and those great competitions between the two of us to see which one could sell the most and things like that.

Fry: Okay. I guess one of the main things I wanted to get at in your 1939 district attorney race is how many people who helped you trace back to these earlier groups that you belonged to?

Brown: Yes, the people that helped me the most were the members of this high school fraternity that I belonged to, Kappa Sigma Chi which was that fraternity of nonsectarian Protestants, Catholics, and Jews, which was an unusual thing. A fellow named Gus Meyerson, Si Anixter, not Benny Lera because he was in the DA's office, a fellow named Al Hirsch, and Ed Hills. They were all in the fraternity and they were the ones that helped me most. Then the Cincinnatus people all helped me too, that group of people, they were all doorbell pushers.

Then there was a man named Dan Shumaker who helped me very, very much in that campaign. Dan and I would walk around the city of San Francisco and he would go ahead of me. He was a very nice looking young lawyer, taller than I, and he'd walk in and say, "Meet Pat Brown." He took me around and introduced me, whether he knew the person or not. If you were sitting in a restaurant, he'd walk up

*Mr. Hills died in November, 1980.

Brown: and here are these two nice-looking young men (if I do say so myself). We'd see you and I'd shake hands with you and give you a card and if you started an argument with me, I'd keep right on going. We wouldn't stop because we had to talk to so many people. I must have shaken hands with 100,000 people. That was in the '39 campaign.

We did pretty well. I don't know what the returns were. They're available. He beat me pretty badly but I made a good impression on people. They liked me.

Fry: Of the 100,000 you shook hands with, according to my figures 92,442 voted for you!

Brown: That's how many I got when I won. I don't think I got that--

Fry: No, that's how many you got when you lost. Brady got 135,282.

Brown: Where did you get those figures?

Fry: These aren't the final, official figures but they came out of the newspaper the day after. In this campaign in '39, you must have gotten some help from some Republicans.

Brown: Well, I got a lot of the Young Republicans around there. They were for me, but it was a nonpartisan campaign. I can't remember who they were but they were all in the Order of Cincinnatus or the New Guard that I became very friendly with.

Fry: Yes, one of the stories about Cincinnatus' formation carried the line that it was made up of different groups with some Republicans.

Brown: Oh, right, right. I brought them all together, the Young Republicans and the Young Democrats and the New Guard. We all organized together and this fellow named Jimmy Hicks was our publicity man.

Fry: What about the Contact Club that you formed? Was that helpful in this '39 campaign?

Brown: Yes, it was. The Contact Club was one of each profession. I was the only lawyer in it. I told you about that. But those people were all friendly with me. I had a doctor named Fred Namath who was active in the Adventists and a man named Dr. Parkinson who was active in very conservative Republican circles. All of them added up to support.

Fry: Okay, one other thing is that in the Examiner, which I went through because I knew it would be the newspaper that was not supporting you the most. [laughs]

Brown: Brady had them locked up hook, line and sinker.

Fry: So right after the election in a story of November 8--here's the story that they ran. I'll let you read it. They talk about your report eight days earlier that the grand jury had a red-hot report on Brady, and apparently this was Ed Hills' committee of the grand jury. So what was that? Who leaked the story eight days before or did you know what the jury did eight days before? I wondered if the report on Brady was really damaging enough to have made any difference in the election, because of course the report really didn't get out until after the election.

Brown: They probably wouldn't permit them to do it. [pauses to read news article] Yes, I remember. We tried to get it out. We thought he was a bad district attorney, but it was political. There's no question about it. We wanted to use that if we could in the campaign, but for some reason Hills couldn't get it out; so we couldn't use it.

Oh, yes, I remember this now. I think we did get the report out later after the thing was over with, and then we used it in the next campaign too. We used that report, we brought it up and I used it in speeches and things. That was kind of a dirty campaign there, between you and me.

Fry: The '39 one?

Campaigning on Opponents' Weaknesses

Brown: Well, any campaign, all the campaigns I was in except the Knowland campaign [1958]. We used everything we could on attacking the candidates. But it was all factual. We didn't use rumor or anything, like there was a story in the paper yesterday about Jerry which said, "Law enforcement people feel that Mexican mafia will reach right into the governor's office" by [Grey] Davis. That's pure hearsay on hearsay. Coming from a man that if there was any violation of the law, he should have initiated prosecution, it becomes almost ridiculous.

Fry: When you say your campaigns were dirty, you're talking about using all the material you could find that was true.

Brown: Right, I'm talking about a thing like this, to use a grand jury. They were investigating him and they had a report. Of course, if I had a friend on the grand jury I would try to get that report out beforehand. I don't consider it "dirty" in an unfair, slanderous

Brown: sense. I don't consider it that way, but it's a negative attack. It tries to reinforce your campaign, by evidence other than your own testimony, against the man. In the Howser campaign, we used his connection with the gambling ship; and in the Nixon campaign, we used the note which we will come to later on, how we finally got that out.

Fry: The what?

Brown: The Nixon note. He borrowed money from Howard Hughes. In the 1950 campaign against my opponent in that campaign, Ed Shattuck, we used letters that he had written about Warren that infuriated Warren and kept Warren from supporting him. We couldn't get it in the newspapers except we gave it to Drew Pearson and Drew Pearson used it. As a result, Drew Pearson and I became great friends because he really helped me become attorney general. Then he got word about me from Bill Bennett, the State Board of Equalization, about taking a \$10,000 bribe that was ridiculous. He called me about it and asked me about it. He didn't use it but I think he believed it. These reporters have to believe things even about their own mother if it will be a story. But go ahead.

Fry: That was 1950 also?

Brown: That was 1950, yes.

Fry: This brings up a question of sort of general principle. When you're not an incumbent, what kind of a campaign would you wage if you didn't wage one of attack?

Brown: Well, you can. In the campaign against District Attorney Brady, Brady had been district attorney for twenty years when I ran against him in 1939, and his office had part-time employees. They all had a big private practice. They all had offices away from the DA's office. There was great conflict of interest. I regarded the scandals against the police department, the Atherton investigation, as evidence of a weak district attorney. Atherton was employed by the grand jury to make the investigation.* But if you were a good district attorney, you stopped the sources of graft, if the district attorney saw that the police who have to enforce the law will take money.

*Year-long investigation of police corruption in San Francisco conducted by Edward N. Atherton for the district attorney. See special section, San Francisco Chronicle, March 17, 1937.

Careful Law Enforcement

Brown: My own moral background in San Francisco was one of tolerance I might say of prostitution and gambling, my father being a gambler and having myself as a young fellow grown up in San Francisco and known prostitutes and represented them and things like that and abortions to a lesser extent. Before I became reconverted to Catholicism, I would have looked upon that with some degree of tolerance, too, feeling sorry for a woman that might be pregnant by a man other than her husband or a young girl who's not married or who couldn't afford it or anything like that.

I always felt that those things should be legalized rather than not be enforced by a district attorney or a policeman sworn to uphold the law. I felt that society and the district attorney were just as responsible as the person who took the graft. I always felt sorry for a policeman who was on the firing line and would be charged with graft where the higher-ups or the newspapers didn't enforce the law. Do I make myself clear? I tried to understand that.

Fry: So you did enforce the law rather strenuously.

Brown: I did, I did enforce the law. In a city like San Francisco, I tried to enforce it rather selectively in the sense that I didn't call the press in and say, "I'm going out on a crusade against whores or against abortionists or against gamblers." I just quietly waited for an incident. I waited for an arrest, for example, of a big gambler to start enforcing the bookmaking statutes as a felony. They'd been enforced in San Francisco under a quasi-licensing by prosecuting them for violating the city anti-gaming code. In the state penal code it was a felony so I waited for a particular case and I charged him with a felony. Then I asked the court to grant probation to this man after he was convicted and pleaded guilty because I thought that the gambling fraternity was entitled to notice that they had a new district attorney who was going to prosecute them as felons, and the abortionists. We waited until we had a woman who had an infection or something. In the Sally Stanford case I waited until I had a minor, sixteen or seventeen. Then I moved. In other words, I waited for something to trigger it, because Bill Wren who was my most violent opponent in all my campaigns for district attorney, when I went to see him after I defeated Brady, he's the one that said to me, "Pat, let me tell you something. San Francisco is an open town. There's no racketeers or gangsters. It's run by policemen and they're all local boys and if you try to enforce all the laws at once the people will regurgitate and they'll throw you out. They'll throw up and throw you up with them."

Brown: So I listened to this old guy and took his advice and waited for an incident. Instead of starting as a crusading district attorney--I was never known as a crusading district attorney but I was known, I think, as a tough district attorney. The fact that I got a very high vote when I ran for re-election is evidence of that.

Fry: Okay, but as I understand if then, you waited until some obvious infraction could really trigger this.

Brown: That's right. So I had some public support behind me.

Fry: Brady was complaining through the Examiner that he didn't have any investigators or people to really go out--

Brown: He never tried to get them. He didn't want them. Of course, the police department didn't want them either. Now, I got some investigators but I only had three and to use a very vile expression, they weren't very good investigators. They weren't very experienced. As a matter of fact, I used the slots that the board of supervisors gave me really to put some of my friends on as investigators, although I did get one who had been assistant district attorney for Butte County. But my investigators were really not very good. One of them was a publicity man that I used to build up my campaign for attorney general and the other one was a man that was very helpful to my campaign. He chauffeured me around and he knew a lot of people in San Francisco. The third one was the only investigator, so I had to use the police department really. But three couldn't do you any good.

Fry: So it wasn't much loss since it wasn't much to begin with! [laughs]

Brown: No. But I was able to get the police. I'd appoint honest policemen in there, like in the Sally Stanford case, I used the juvenile squad. They had juvenile officers. In the abortion case I used two devout Roman Catholics, Frank Ahern and Tom Cahill who were not in the abortion payoffs.

It was a seventeen-year-old girl dying of peritonitis from an abortion and when they took her dying statement, she stated that she'd worked out at Sally Stanford's place and she was only seventeen. So we charged Sally with contributing to her delinquency rather than charging her with running a house of ill fame.

Fry: You also mentioned Wren as a man who--

Brown: William Wren, just like the bird, the wren.

- Fry: Okay, in 1939 the third man on the ticket was Reisner who got 23,000 votes. Do you think those votes were taken from you or from Brady?
- Brown: I think they were taken from Brady. Reisner had run four years before that and then made a fairly decent fight, but he was a lawyer of poor reputation. I never had any real criminal law experience before I was elected district attorney. I didn't try a single, solitary criminal case in the state courts, in the superior court, in the seventeen years I practiced law.
- Fry: I thought you had some?
- Brown: I had some experience in the federal criminal courts. I had tried some jury cases some years before. I had participated in a murder trial with Leo Friedman where I was the associate counsel but I didn't open my mouth in the case. He tried the whole case. I didn't make any argument. I just sat there and assisted him in the trial of the case.
- Fry: You did what?
- Brown: Some of the investigative work and the brief-writing but Friedman made all the arguments and everything else. So here I was elected district attorney without ever trying a criminal case. I tried a substantial number of civil jury cases, all personal injury cases, before that.
- Fry: Was this brought up in your campaign against him?
- Brown: Oh, yes, they used that against me.

Previous Private Public Service Cases

- Fry: Can we break this for a moment and go into your private law practice and pick up a few things because I did find a few other notices there in the papers at the Bancroft. You had already told me that you were a special counsel for the Federation of Municipal Employees; on November 10, 1936 (I guess I got this from the Examiner), there was a law case which I think focused on being able to see civil service examination papers and the quotation from the article, was "to clarify municipal civil service system." But really I think it was because the Federation of Municipal Employees "suspected that the recent appointment of Herman van der Zee as county clerk might be fixed." Do you remember that?

Brown: Yes, I remember that. I was representing the Federation of Municipal Employees. I was really representing one of their very active members who had taken the examination for county clerk. He felt that he'd been deprived of it, why I don't know. But I filed a lawsuit for him and I thought I should have won that case, but I lost it. Then I had another case involving another civil service employee, which I thought I should have lost and that I won. So I had two cases representing municipal employees and the one I thought I should have won I lost. The one I should have lost I won. Both cases, I think, were reversed on appeal. I think I won both of them eventually.

Fry: Do you remember if you did get in to see the civil service examinations?

Brown: I did get in to see them and I think they had another examination and I think this time my man still ran second. Then we gave up. I also had another one in my private practice. I represented the streetcar --maybe I told you about this.

Fry: What about the case that you had on the Market Street Railway? I mentioned this to you last time, but we really didn't get to discuss it.

Brown: I can't remember that. That's where I used my mother as the party plaintiff. Why I used her I can't remember. But I represented some private client in the matter. Either that or I was angry at the fact that the streetcar tracks were still left. The streetcar tracks were left on California Street and under the charter it was clear that they had to take them up when they abandoned the streetcar tracks. Then the city was going to do it and I said that it was an unlawful expenditure of city money. They should have gone after the cable car company. That was a pure pro bono publico case. By that I mean I just defended me as a citizen. I had time to work on it, but it does indicate that I was interested in--

Fry: Saving money for the city?

Brown: Saving money for the city and attacking private utilities that were getting away with something, probably through friendship in the board of supervisors or some part of the city.

Fry: I think maybe this is two different cases because on this one the newspaper said (this was September 22, 1941) that it was to force the Market Street railway to keep the pavement in repair alongside the track. But the interesting note in it is "while attorney Brown denied the union was in any way involved, William McRoby, union president, is said to have freely admitted that the union instigated Brown's move."

Brown: Maybe they did. I can't remember that. I represented the streetcar-men union. Maybe they did. Maybe they brought the suit.

Fry: For jobs or safety or what?

Brown: I don't remember why. I can't remember. I just can't remember.

Fry: Okay.

Mentors and Supporters

Fry: Our third pick-up is a little bit more on the Order of Cincinnatus. Last time you told me about Ralph B. Potts coming down some time from Seattle, and I just want to read into the record his speech that you told about. It was on June 28, 1935, and then on July 9 a drive opened to "place outstanding young men in San Francisco government at the November election" and you opened headquarters at 1260 Market Street. Does that ring a bell?

Brown: Yes, that's where Potts made the speech at 1260 Market I think. Yes, I remember it very well.

Fry: So it was a big enough place, a great big place. In fact, it was really a luxurious headquarters. It was an old storefront store, but a place for a good sign and everything else. You can see where I got my start in politics.

Fry: Yes, that's why it's kind of interesting to me because, as theory goes, it probably influenced the character of all your future campaigns. On July 12, you were president of New Guard and you were then elected president of Cincinnatus. I think your statement went something like it was a "binding coalition of Young Democrats, Junior Republicans, and the New Guard." Then you say, on July 29, more than a hundred nominations for supervisor had been received by Cincinnatus.

Brown: We did. It was a tremendous number, getting all those young people involved in politics and every one that was a possible candidate became a good, hard worker for the campaign. So the more we had, the better we liked it.

Fry: For a hundred people to be applying in the city of San Francisco to actually run--

Brown: They all had to be under thirty-five and if they were over thirty-five, we couldn't take them. It was really funny. We went out of existence when I became thirty-six! [laughs]

Fry: Oh, is that what happened?

Brown: That's what happened to Cincinnatus. In the flux of time it went out of business. We tried to get younger people but you have to have a force in it that's ambitious or working and I put together a pretty good coalition for this thing. Some very intelligent kids, the two Sloss boys, both of them the sons of Justice Max Sloss of the California Supreme Court. It was just a good group of young people.

Fry: You hadn't decided whether to nominate a slate for all civic posts then. Did Cincinnatus ever zero in on other--?

Brown: I think we did the time that I ran. When I ran for district attorney they did. But they didn't in the first campaign. I think we just went after the supervisors the first time and I think the second time. But when I ran in '39, that's when Cincinnatus really was successful.

Fry: In '35, I think you said that Norman Elkington, George Reed, and Dewey Mead and Pardini ran.

Brown: Joseph Sharp was in it too, but he pulled out of it for some reason and then did run in '37.

Fry: Oh, and then Pardini was in.

Brown: I remember it was kind of poetic--Elkington, Reed, Pardini, and Mead and that's the way we put it. Mead won. He won because he got labor's support, San Francisco labor support.

Fry: The others didn't?

Brown: No. Elkington later became an appellate judge, appointed by me and a very able fellow, Republican, not conservative. He handled some campaigns and Mead was elected. George Reed was the Republican candidate and Elkington was a Republican. We had two Republicans and two Democrats. Elkington and Reed were the Republicans and Pardini and Mead were the Democrats to show that we were completely nonpartisan.

Fry: I guess that was one reason why Mead got the labor?

Brown: He got it because he was a labor official, very active. He was a young union officer, building trades council. By the way, there was one other man that we can't forget that helped me in the campaign and if you ever get a chance to talk to him you should; he's not very well. It's Dan DelCarlo. Dan DelCarlo was the executive officer of

Brown: the Glazers' Union and very active in the building trades. He introduced me to a man by the name of Joe Murphy who was an old-time San Francisco politician. Joe Murphy really taught me how to campaign. By the way, his son, Bob Murphy, is now the producer of the Mervyn Griffith's show and only lives a little ways from me up here on the hill. He lives right up here within five or six blocks. We've never had him for dinner because he says he's out every night on the Mervyn Griffith show.

But Murphy was the one that took me around. He led me by the hand around San Francisco, showed me how to campaign, a pleasant Irishman. He'd take out an election card and he'd hand the election card to you and he'd say to you, "Now, pretty little lady if you vote for Pat Brown for district attorney and he's elected, the day after election you go to any department store and get yourself a pair of hose." Or if you had a little child he'd give it to him and he said, "You'll get an ice cream cone. Just take it to any candy store." He also taught me, "Don't argue with people about politics." He's the one that did it, Joe Murphy. He was such a jovial guy that I would laugh and everybody would laugh with me. I could see that I was getting over with people. You'd walk in and they liked him and if they made any offensive remark or anything like that, he'd never get angry and he said, "I'll punch you in the nose."

Jim Brennan also helped me. He was an old Irish politician.

Fry: You said you would punch somebody in the nose?

Brown: I felt like punching somebody in the nose and he said to me, "If you ever say that again, I'll punch you in the nose."

Jim Brennan helped me too. I'll never forget going into a drug store and a fellow named Bastianni in the Marina district in San Francisco where I lived, I walked in and this fellow said, "Gee, you're doing pretty good in that campaign for district attorney. You're doing fine." I said, "Gee, what am I doing?" He said, "Well, you're only getting beaten three to one!" [laughs] So then my dauber dropped. [shoulders slump] Gee, I walked out and Brennan looked at me and said [voice imitates fierceness] "Get your dauber up. Don't let any people see you're discouraged."

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Fry: So you did become a known figure in San Francisco. [tape interruption: telephone]

Brown: I really didn't become a prominent character in San Francisco until I ran for district attorney the second time, when I got the support of the two newspapers. When I got the Chronicle and the News supporting me for district attorney, that made me a candidate. Before

Brown: that I was just an ambitious young man. I was well known in town. I belonged to the Elks. I belonged to the Native Sons. I belonged to the Pythians. I belonged to a Bible study group in the mornings and we had the New Testament at my parish, St. Brennan's Parish. That was after 1939. And I was around town. I was a very active young man. I was in other politics. I was the campaign treasurer for Olson in '39. I was the campaign chairman for Raymond Haight for governor in--

Fry: That was San Francisco chairman for Olson?

Brown: Treasurer for Olson, northern California treasurer for Olson for governor in 1938. I was for Raymond Haight in the 1934 primary. That's when Sinclair and Merriam ran. Haight was kind of the middle-of-the-roader. I was vice-chairman or chairman of his campaign. I'd been very active in politics.

Of course, the Cincinnatus group gave me publicity. I was active in the Barristers' Club, the young lawyers' club; I started that as a matter of fact. Well, you can see, I led a very active life, and I worked like hell at the law, building a practice, because that was my sole source of support for my growing family from the time I married Bernice until--let's see, I had three children in the first eight years.

Fry: The first public notice that I saw of you kind of emerging as an accepted public figure may have been in 1936 when you were selected to be the main speaker at ceremonies in the Civic Center in the auditorium to celebrate Lincoln's birthday and 7,000 school kids, plus war veterans and everything were there.

Brown: That doesn't ring a bell to me at all. I have no recollection of that.

Fry: In the Examiner that's kind of the first thing where they really--

Brown: What year was that?

Fry: This was 1936. Then another thing was in December of 1936, what I think is your first attempt at public office. Check me on that. The story runs that on December 1, the board of Cincinnatus recommends to Mayor Rossi that you succeed Frank R. Havenner who went to Congress. Now, I don't have down here what the office was.

Brown: Supervisor.

Fry: At the time they say that you are the state president of Cincinnatus.

Brown: I think we had three guys in Los Angeles or something.

Fry: [laughs] For a Cincinnatus chapter?

Brown: That made it a statewide organization. [chuckles] That was probably my idea, too.

Fry: Yes, there's a lot of correspondence in your papers about starting the Los Angeles chapter.

Brown: But you can see I spent a lot of time in politics too. I worked practically every Saturday and Sunday. Poor Bernice, she used to go crazy.

Fry: So in the mid-thirties it began to pay off apparently, in the press at least.

Brown: That's right.

Fry: All right, taking chronologically in 1937 there were a lot of money problems in Cincinnatus. Before the '37 city elections in February 15, there's a letter from George C. McLaughlin to you. Who's he?

Brown: He was one of the founders of Cincinnatus with me. George McLaughlin ran a printing shop and he was a very clever craftsman. He would put together montages, he'd get a lot of ads together, and he did it very, very well. He put out the Cincinnatus paper. We also published a paper called the Police Signal. My brother Harold and I represented the uniformed policemen. They couldn't be in any political organization. There were three or four policemen, young policemen that we went to school with; a man named Walter Ames, who later became a police captain and three or four others, young policemen that couldn't be out front, so my brother Harold and I and George McLaughlin kind of fronted and we put out a newspaper called the Police Signal. This was a paper advocating free uniforms, that they should supply uniforms and ammunition and an increase in salary for the policemen and higher pensions.

Fry: That should have given you another base of support. Did it?

Brown: It did. A lot of the uniformed police. As a matter of fact, when I said I didn't handle a criminal case, I did represent seven or eight policemen who had been indicted for taking a bribe to refer cars that were disabled in accidents to a particular tow car company. I represented the seven policemen and I worked like hell on it. I made a motion before Judge Benjamin Jones, I'll never forget it, who was assigned the case, from Lake County, to dismiss indictments upon the grounds of a conspiracy to commit a misdemeanor. It was not a felony. It was a misdemeanor. The court right from the bench

Brown: granted my motion. It was a purely legal question; it wasn't a factual question. But I remember arguing the case and I made, as I remember it then, an argument that I was very proud of and the judge right from the bench and I'll never forget. The wives of the policemen were in court and they were all in court and I have never seen a happier group of people in my life than these policemen that I represented when I got them off. We didn't get very good fees for it, but we won it.

Fry: That's interesting because that case is reported in the Examiner. I gathered that it was a pretty political case because the fellow who was head of that part of city government was someone who was pretty much--was it in Finn's machine?

Brown: Do you mean the policemen or who?

Fry: It would be the department of city government that has to do with the storage of tow cars.

Brown: I don't remember who it was. I remember that the Police Commission was charged too. They used a radio wave, they put a radio dictaphone on you and and you talked it over with the policeman; and then they had this detective force that was doing it. I don't remember who initiated it. Maybe it was the Garagemen's Association.

I made a motion to exclude that evidence upon the grounds that they needed a search warrant to use a radio-telephone. Well, the Police Commission was really with me. They didn't want to fire these fellows. Walter McGovern who was the chairman of the Police Commission was a pretty liberal San Franciscan and he represented a lot of the prostitutes and gamblers and abortionists. He was quite a lawyer; a hell of a good lawyer as I remember. So they ruled with me on that motion. So they had to dismiss the case because they had no evidence. So this was a great victory for me really.

One of the policemen, a fellow named Overstreet, later got on the vice squad. When I was district attorney I shouldn't have done this, but we found out through a paper that he had hidden some evidence in a case. Instead of prosecuting, I called him in and told him we knew about it and said, "If you ever do this again, we'll see that you're fired." But he'd been a client of mine in private practice and I felt kind of sorry for him.

Fry: How did it work out?

Brown: The case?

Fry: No, him.

- Brown: He later turned out to be a pretty good policeman. I think he got into trouble later on for something. I can't remember. He was a tough cop. God, when he'd arrest somebody and they threw anything at him, he'd fight like hell. [tape interruption: someone enters]
- Fry: The reason I brought up George McLaughlin was that he seemed concerned that the organization needed definite policy and he wrote you "the organization is now drifting in a dense fog."
- Brown: He was a very serious fellow. He later went to work for me in the DA's office. He was kind of an office manager. We made him the office manager when I became district attorney and he was very active in my campaign for district attorney and we became very close friends. He was a sour puss guy, very thin, smoked a lot of cigarettes and eventually died of emphysema. When you get my age and you see people die of emphysema you see what a terrible thing cigarette smoking is, aside from the cancer. Ray O'Conner who was my office associate after my brothers went to war, he died of cancer of the lungs. He was an inveterate smoker.
- Fry: Now Roger Kent's having trouble.
- Brown: Roger Kent has emphysema.

1940 and 1944 Democratic National Conventions

- Fry: I want to go into the 1940 Democratic convention, Pat. Is that your first Democratic convention to go to?
- Brown: Yes, I went to the 1940 convention as an alternate to an alternate. I really just went back. I couldn't get to be a delegate so I paid my own way back and went back to the convention in 1940; I went back with a man that had been very active in Democratic politics, a man by the name of Ed Durkin. He and I shared a room at the hotel and he couldn't get tickets. So he came out for Burton Wheeler against Franklin Roosevelt. I'll never forget it. [tape interruption: telephone]
- Fry: You went there then not as a delegate but as a visitor.
- Brown: Well, I was an alternate to an alternate. We kidded ourselves about it, but I wasn't even an alternate. I went back there anyway and I went to the convention and watched it. We got in, of course, and got tickets and became friendly with the delegates from all over the state.

Fry: This was just so you could become acquainted with these people, right?

Brown: That's right. Olson was governor and I'd begun to get interested in politics and I remember going back there. We took a train and it was very enjoyable. After the convention was over, I went by myself to New York. I flew in a DC-3 and I'll never forget it. We flew over Newark and we couldn't come down because there was fog or something and we flew over New York and finally came into LaGuardia and landed safely. That was my first trip to New York too and I went to the Astor Hotel. I had rooms at the Astor Hotel. I'll never forget it. I don't think I was ever more lonesome in my life than I was in that great big city.

Fry: What did you go for?

Brown: I just went for a visit, just a trip. I was that close to New York and I thought I'd go.

Fry: Where was that Democratic convention that year?

Brown: In Chicago. That's the third-term nomination of Roosevelt. That's where Farley left him and Farley became a candidate against him. But my secretary back there in New York, my little secretary, Karen Gunnerson. She was back there visiting her folks so I dated her one night. I took her out one night in New York.

Fry: How did you feel about Farley leaving Roosevelt at the convention?

Brown: I was all for Roosevelt. I liked Jim Farley very much but I was a Franklin D. Roosevelt man at that time. He was the man who really converted me to the Democratic party and I thought he was doing a hell of a job. I was tremendously impressed by Roosevelt and I thought Farley and Burton Wheeler were for the birds. I just had no use for them. I instinctively felt that way.

Fry: Did you have any misgivings about the third-term issue?

Brown: No, I really didn't. It didn't bother me at all. Europe was at war and I felt that the Republican candidate that year was Wendell Willkie, and I'll never forget listening to Willkie when he made his acceptance speech. It was a pretty good speech. Right after that, Harold Ickes made the statement that Willkie was the barefoot boy from Wall Street which was really very funny and I remember how I chuckled at the remark. I was happy that Ickes had come up with that. It was very, very good. I enjoyed it. So that showed where my sympathies were.

Fry: That also was when John Garner was replaced by Henry Wallace as vice president. Who were you for there?

Brown: I don't think I felt very strongly about it. I didn't realize the importance of it. I can't remember being for or against Wallace. Four years later when I went, as a delegate this time, to the convention--where was the convention in '44? I think that was in Chicago too. Yes, it was. There I was a delegate this time. I had been absolutely against Wallace. He had made a speech at the Palace Hotel in San Francisco, and I was so disgusted with the speech that he made, a vice president! He got up and wandered all over hell's half acre and didn't say anything. He appeared to me to be a dreamer. Then I got back at the Democratic convention and he made a speech on civil rights. It was a great speech and he looked down at the delegates and there was no equivocation about it. It was a speech on equality and I look back on it now and I shifted to Wallace at the time. I was all for Wallace.

Fry: Against Harry Truman?

Brown: Yes, against Harry Truman. I didn't know who Harry Truman was. But the politicians, the smart politicians--Ed Pauley and Bill Malone--I'll never forget Ed Pauley getting me down under the rostrum and saying to me, "Gee, Pat, really this Wallace is a nut." I said, "I don't think he's a nut." All the labor people and Helen Gahagan Douglas, all the liberals were for Wallace.

But they talked to me and I respected their political wisdom so I said to them, "I'll tell you what I'll do. I'm going to vote for Wallace on the first ballot, but if Wallace doesn't win on the first ballot, I'll give you a vote on the second ballot. I'll give Harry Truman a vote on the second ballot," which I did. Truman won and thank God I changed because Wallace later turned out to be a traitor to Roosevelt. He ran on a third-party ticket in '48 against Harry Truman and he got way off in left field and was really kind of a pie-in-the-sky fellow. Sincere, but not the kind of a man that you'd want to be president of the United States. He was with the extremists and I've always been really a moderate liberal I would say. On civil rights I think I've always been very liberal, but on governmental aid to individuals, I've always been somewhat suspicious of big government and things like that.

Fry: You mentioned Helen Gahagan Douglas and I wonder if you remembered in 1940 when she was elected national committeewoman. Do you remember anything about that?

Brown: I remember I was very charmed by her and liked her very much but of course I was only a youngster in the party then and she had been a great actress and we were all very happy with her. I think

- Brown: that Culbert Olson was elected Democratic national committeeman at the same time. I'm not sure but it seems to me he was.* He was in his glory in 1940. I remember going up to his inauguration [1939] and a big barbecue they had at the fair grounds.
- Fry: Were you aware of what Melvyn Douglas had done in southern California politically at the time?
- Brown: No. Melvyn Douglas was quite an actor too. He was a good actor.
- Fry: Yes, and he was effective down here in the Anti-Nazi League and a lot of things like that.
- Brown: He was Jewish. Melvyn Douglas was Jewish. Helen Gahagan was Irish.

Golden Gate Bridge Director

- Fry: One other small item that may not be so small. On February 24, 1943, you were elected director of the Golden Gate Bridge.
- Brown: By the board of supervisors.
- Fry: Yes. The finance committee recommended you and seven members had nominated you and even before you were elected, the Examiner said it was a foregone conclusion you'd get it. So how did this happen? It looked so easy.
- Brown: I'll tell you the way it happened. The way it happened was that there was a man who was trying to refinance the Golden Gate Bridge by the name of Lee Kaiser (he later ran for the U.S. Senate). Lee Kaiser was a young, brilliant investment banker, and he had made a lot of money in the investment business. He wanted to refinance the bridge, so he came to me and I think Chester McPhee was on the board of supervisors at that time and he and Chester were very, very close. Kaiser put a lot of money into the campaign of several of these supervisors.

So he came to me and said, "I think I can make you a bridge director." He had his office in the Russ Building. I had brought him back to the Democratic convention. Did I bring him back in '40

*Olson was a Democratic national committeeman from 1940 to 1944.

Brown: or '44? I can't remember. But at any rate, we became quite friendly. Maybe he was a member of the Order of Cincinnati or had helped us or something else. I can't remember. But he was very well-to-do, a very successful young man. He said, "I'm interested in refinancing the Golden Gate Bridge." I said, "I'll be very interested in helping you." He explained it to me and made a pretty good case. He said, "If I get you elected to the bridge board will you vote to refinance?"

I said to him, "No. I promise you that I will give it a good hard look and, in view of the fact that you got me on the bridge board, I will do everything I can if I believe in it to see that we refinance the bridge." He would have made a lot of money out of that because he made his money out of selling bond issues. They'd sell new bonds and refinance them. I think interest rates were lower at that time. He made a pretty good case.

So I got on the bridge board and listened to all the arguments and I came to the conclusion that it was not a good idea to refinance it, so I voted no. I voted against it and I don't think he ever forgave me. But I said, "I just cannot vote for it conscientiously even though you put me on the board." It just seemed to me to be the wrong thing to do. Chester McPhee, who was his closest friend, was very angry with me because I think he led the fight to put me on the bridge board. They thought I'd be kind of a key man for them and then I dumped him.

Fry: I see. Do you remember what you found out that was different?

Brown: I can't. It was a pure financial question. The cost of it and the extension of the bonds for another ten years or something and the cost of it just seemed to me to be out of line. I can't remember the facts, the papers would show the arguments, but I listened to the people that were on it. As a matter of fact, Dan DelCarlo who was one of my close friends in the '39 campaign for district attorney, he was all for it and he got angry at me for not voting for it too. But Hugo Newhouse who was one of the active members and a very successful businessman, he convinced me that it was the wrong thing to do and I just voted against it.

I enjoyed being on the bridge board very much. You didn't get paid for it, there was no pay, but you got mileage from your office to the bridge headquarters. But I met a lot of people throughout the state who later became good friends of mine.

Fry: You weren't on it very long because you had to resign later that year.

Brown: When I was elected district attorney, yes.

Fry: So I wondered what other issues came up. I didn't see anything else in the newsclips.

Brown: There weren't very many issues--painting the bridge. It was just an honorary position, but it was the first appointment that I had ever had.

Culbert Olson's Appointments and Principles

Brown: I was appointed by Olson to the Code Commission. I told you about that, didn't I?

Fry: Yes, and I wanted to ask you, what did that do?

Brown: That was a recodification of all the codes. I can't remember what code it was now. I told you about this.

Fry: Yes. That wasn't the entire California code was it?

Brown: All the codes. It was a codification--I can't remember. There were a lot of general laws that hadn't been put in any codes. I can't remember how it functioned but I remember Olson calling me up in Sacramento. I think I told you that story too, didn't I?

Fry: No, not about Olson.

Brown: I had been his treasurer and I had been active in his campaign.

Fry: This happened on August 23, 1941, according to my notes, when you were appointed to the California Code Commission, but the newspapers don't say what it was supposed to do.

Brown: It was a codification of the codes. There were to be no substantive changes. It was just to eliminate dead wood, get rid of repetitive statutes, and they had a staff that was doing the work. Here again I met people from all over the state on the Code Commission. This later became the Law Revision Commission. It was changed.

But I have to tell you this story because it's somewhat interesting. I had been active in Olson's campaign; so in 1939 there were vacancies in the municipal court, and I went up and asked them to be appointed the judge. I had been very active in his campaign. A fellow named Su Saroyan and Everett McKeage were very active in the campaign. He appointed one a judge and made Su Saroyan attorney for the Banking Commission, which was a very profitable piece of legal work. He

Brown: put Dan Shoemaker on the bench, who I'd gotten into the campaign. He put Leo Cunningham on the bench. But I went up to see him, he said, "Well, I'll think about it," but he didn't give me anything.

So a month or two months or three months or a year later he called me up one day and said, "Pat, I want you to come up and see me. I have an appointment that I want to give you." Well, I didn't know what it was. I had no idea what it was going to be so I went in there and he said, "Pat, I'm going to put you on the California Code Commission." I said, "What does it do?" He explained it to me. So I didn't say a word. I said, "Gee, that's fine." I just wanted to be appointed to something. I wanted to get some appointment. I think he could have appointed me to the sewer commission and I would have kissed him.

When I got outside the first thing I did was to call the secretary of state because I had to take the commission. I said, "What is the pay for being a code commissioner?" She said, "There's no pay. You get traveling expenses, that's all." [laughs] I said, "Is that all I get? Traveling expenses?" I don't even get a per diem?" She said, "No per diem." So I was so damned disappointed.

But I'll tell you, he did give me another position too. I forgot about that. Olson's Savings and Loan Commission seized the Pacific State Savings and Loan. Then they needed about ten lawyers to go over and go through the documents. Bob O'Dell, who was the president of Pacific State Savings and Loan, retained great lawyers to get it back from the finance commissioner. I was one of the lawyers that they appointed to defend the seizure. It was kind of a motley crew that he had. He had an attorney named Mitchell Berquin, who had been his campaign chairman, who was the principal attorney and then he had four or five others. But when I went over there, they had me going through loans and looking them over and making reports on loans and it just bored the living hell out of me. So I couldn't have been there more than three months and I called him up and said, "I quit." I resigned. I wouldn't do it. I couldn't do it and handle my law business. [tape interruption: telephone]

Fry: We were talking about your being on Olson's Commission and you said that after two days of going through these loan applications, you did what?

Brown: Not two days. I think about two weeks. I told the chief counsel. I said, "This is not for me. I quit."

Fry: That's a lot of time, isn't it, from somebody busy in a law practice.

Brown: Well, it was only a part-time job. It wasn't a full time job. Dan Shumaker stayed on and as a result he made great friends with the Olson people and I think it helped him get a judgeship, and I think they got angry at me for not doing it and that's one of the reasons that I didn't get the judgeship. But Olson was very anti-Catholic. He appointed several Catholic judges but he was an atheist. He was a dedicated atheist, Olson, and later on in life he proved it. He made no bones about it. [stirs cup of coffee] It was not a secret thing with him. He was just as prejudiced against any religion as the worst anti-Semite.

Fry: Do you remember what you thought of him at the time as governor?

Brown: I liked him very much as a person, but he was a cold Swede. I never really felt warm to him. He was a Los Angeles liberal and for some reason I never really trusted him. But I thought he was the strongest candidate and I thought he could win.

Fry: Was there a difference between the liberals in Los Angeles then and the liberals in San Francisco?

Brown: Yes, I think the liberals in San Francisco are very practical Irishmen and the liberals in Los Angeles were really socialists. Most of the people that were in the Olson campaign.

Fry: As I understand it from Susie Clifton, a lot of them in the Olson campaign had cut their teeth in the previous campaign with Sinclair.

Brown: Did you talk to Susie Clifton?

Fry: Yes, three or four years ago.

Brown: They were really Sinclair socialists and he was really a socialist. There's a book on Olson that I read later on and some of things that Olson stood for, if they had come to pass, I think the state would have been a greater state in my opinion.

Fry: Like what?

Brown: Public power. He was for greater development of public power. I can't remember what they were. I'd have to reread the book.

1943 Campaign: Battle with Incumbent Matthew Brady

Fry: One campaign that we need to cover is the 1943 campaign for district attorney that you did win. We kind of touched on it last time but that was all. Since you had the Chronicle's blessing and the News's blessing, I wondered if it not only was a battle between you and Brady, but a kind of newspaper battle too?

Brown: Yes, it did, very definitely. Brady had a real "in" with the Examiner and the other papers were very annoyed that Bill Wren of the Examiner would get all the first stories. He really embraced Brady; Brady and he were pals. So when I got Frank Clarvove of the News, he was the first one. I told him (I think I told you), I wouldn't have been a candidate if Clarvove had not supported me. I was doing well in the law business. It was war time. I had my two brothers' business and things were really going well. I was trying a lot of cases. But I remember in '43, I was trying an automobile case.

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Brown: An automobile case with a man with a broken leg, spending three days trying it before a jury and here were people dying and being maimed in the war; it seemed to me to be an anomalous situation. I felt like I wasn't doing my duty, that I should be in the service, I should be doing something for God and country. To make money just didn't seem to be the right thing to do during the war. Even though I was representing my two brothers who were both in the service, I just felt that it was the wrong thing to do. By the way, I was completely unsympathetic with the movement of the Japanese back in January of '42. I can't remember writing a letter or doing anything about it, but it seems to me that I protested. I represented three or four Japanese.

Fry: At the time?

Brown: At the time of the war. Our firm represented Nippon Dry Goods. As a matter of fact, I had property transferred to me individually in trusts because I was afraid that if there were a war that they'd seize the property. It was all done on top of the table, but I'll never forget the Secret Service coming into my office one day and saying, "We want to look at your files." I said, "Fine." So I walked outside and as I walked outside they followed me out. I can't remember what happened but it rather frightened me. I think they were going to charge me with a trading with the enemy act or something--something, I can't remember what it was but I never heard anything further from them so I guess I didn't violate the law. [tape interruption: telephone]

Brown: As a matter of fact, in the latter part of the campaign, within the last week of the campaign, the Examiner came out with a great headline expose, if you remember. Did you see those clippings, "Brown revealed as gambler's friend" and they had the first page, they had a picture of my law office and the directors of the Padre Social Club, I think that was the name of the club.

Fry: That was that Atherton Investigation Club?

Brown: Yes and here I was, I was the one that had organized it. So they exposed me. But I think to this day it elected me because it pointed out that I was a liberal and it gave me great publicity. The Examiner and the Chronicle when they found it out, I went over to see them and they wrote the rebuttals. I'll never forget. Squire Behrens wrote the rebuttal. So I was the beneficiary of the war between the press which is a very interesting thing.

In the News, of course, Frank Clarvoe, they carried on a continuing pro-Brown campaign because they, too, felt the favoritism that Brady showed to the two Hearst newspapers.

Fry: I did read the charges that the Examiner made. Brady was saying that first of all, your extravagant campaign must mean that you were getting money from the underworld because why else were you giving up a \$25,000 a year salary for an \$8,000 a year job as DA.

Brown: [chuckles] Of course, my answer to it was that if there's an underworld it shouldn't be there because Brady was district attorney. But I didn't have any slush fund. As a matter of fact, I put up \$5,000 of my own money. I put up \$5,000 and Bill Newsom put up \$5,000. We had \$15,000 and if they hadn't agreed to put up \$5,000 I wouldn't have been a candidate.

Fry: Now explain to me what these stories meant. They said that you had represented the Padre Club of which a Mr. Swetmann was director.

Brown: He was an associate of ours in the law office.

Fry: You were helping them to incorporate. You just said you organized the club. What do you mean?

Brown: My father was a gambler. He owned a poker club and the way they operated, as I think I told you, they would organize a nonprofit social club and then the social club would conduct the clubrooms. They played poker and they charged for the cards. So my father brought me the law business; whoever this Padre Social Club was, they wanted to--

Fry: Incorporate?

Brown: Yes.

Fry: And you helped them incorporate.

Brown: I incorporated. I didn't help them; I did it. The way you do it you wouldn't use any of these gamblers, you would just organize it with two or three people in your office as the nominal directors.

Fry: I see. That's why Swetmann was one of the directors.

Brown: That's why Swetmann was one of the directors. I can't remember who the others were.

Fry: Then you represented them in the Atherton investigation where they refused to answer questions?

Brown: Yes, they were subpoenaed to testify before the grand jury and I wouldn't let them testify.

Fry: Was this Swetmann?

Brown: No, that was myself.

Fry: I mean were the people who were subpoenaed the directors?

Brown: No. After the club was incorporated and you got a charter from the secretary of state this certified that the Padre Social Club was and is a duly authorized corporation. There were never any meetings. It became a fruitless affair and the only thing you had was this charter. It was a facade for a gambling operation although they only played draw poker, as I explained to you, and panning, neither of which are barred by the penal code of the State of California. A city can pass stricter anti-gambling laws if they want. There's no preemption in the law as far as gambling is concerned, although this statement could be questioned.

Fry: The picture I get then is that you were on both sides of the Atherton investigation. On one side you felt that Brady should have done a better job of investigating and on the--

Brown: That was later. That was later when I represented the gamblers.

Fry: But at the time--

Brown: At the time I represented the gamblers. Didn't they have a special prosecutor or did they? I can't remember. They had a pretty good lawyer presenting the case to the grand jury. He was pressured into that Atherton investigation. Brady didn't like that at all. But the newspapers just forced him into it.

Fry: What were you charging Brady with?

Brown: In the '43 campaign?

Fry: Yes.

Brown: I charged him with everything--incompetence, stupidity. I even alleged that he borrowed money from Pete McDonough, the fountainhead of corruption, which he did. If you found our little pamphlets, we charged him with everything in the world. The best defense lawyer in San Francisco was a man named Leo Friedman. Leo Friedman was in every major criminal case in San Francisco. He was a law partner of Harry Neubarth, who was the assistant district attorney, and two other people, Joe Conner and Herbert Choyinski. These were the two chief deputies and the defense counsel all having their offices in the same place. When I got to be district attorney I found a case where Freedman represented two opium peddlers that had been charged with possession of opium. The case had languished for a year in the DA's office. Here was Harry Neubarth, the prosecutor, officing with the defense counsel. They didn't have a typewriter in the DA's office. All their complaints went out in handwriting. The police made a determination what the charges should be instead of the lawyer making the determination. I changed all that. Before we issued a criminal complaint, they had to come in and tell the district attorney what the facts were and he would determine what they would charge them with. It was the most inefficient office in the United States, according to this study that was made by somebody, and right across the bay in Alameda County you had the most efficient DA's office.

The changes I made after I got in there are indicative of the type of incompetence that Brady showed. I think Brady was honest. I never accused him of being dishonest. He never took any money from any of the underworld in San Francisco but he was criminally negligent in permitting these things to go on and letting the police take the money. That was the argument that I made. Of course, you only had radio then. You didn't have any television. We had good radio time.

A Good, Close Campaign

Fry: Did you? You may have had good radio time but I found the funniest story about your difficulties with the radio as a campaign device. On November 1 you were cut off the air for deviating from your prepared script. [laughter]

Brown: You had to take a script into the lawyers for the radio station and I deviated from it. I said I was a "text deviate." [laughs] I used to kid about that. Yes, they cut me off the air. That, of course, created a lot of attention when they cut me off--"What was he going to say?" The funny part of it is, all I did was deviate. I didn't have anything sensational to say. Another time I had a hell of a time finishing. I was so tired one night. I'd been campaigning all day and I never in my life before--I just couldn't get my voice out. I finally finished it, but it was terrible. But I campaigned from early morning. I went to the slaughter houses and shook hands with the guys that were killing the cattle and I went to the produce market in the morning and the flower market and every neighborhood in San Francisco. I really worked my tail off and then I'd make ten speeches a night. It was really a vigorous campaign.

Fry: Was it more vigorous than your '39 campaign for you physically?

Brown: It was because I sensed victory; I sensed winning and that spurred me on.

Fry: Could you explain what this was that radio stations did then? You had to submit a script to them?

Brown: You had to submit a script and if there was anything slanderous or defamatory in it you had to cut it out because they were afraid of being sued for slander. That was the reason for it.

Fry: Is this common? Has this continued?

Brown: I don't know. Not any more, they don't do it any more. They did it then.

Fry: Anyway, you said you did it because you said you couldn't read the writing of the person who censored your script. [laughs]

Brown: Is that what I said? The telephone calls started coming in. It was really funny. We thought it was a disaster at first when they cut me off and then it turned out to be a very lucky thing. It created more interest. It just shows you how the good Lord had his arm around me.

Fry: Even earlier on September 30, you had air time scheduled for KYA and you got there apparently and it turned out later to have been taken earlier by Matt Brady. I don't know whether this was a misunderstanding with your agent or whether it was dirty tricks or what.

Brown: I don't know. I remember we had the wrong time in the paper too. [laughs] I was supposed to be on at 7:15 or 7:30 or whenever it was, that was funny.

Fry: Anyway, I think you lost out there. But apparently you did get some radio time in, right?

Brown: Oh, yes. The night of the victory my wife and I were all down at the headquarters. (I think I've told you this too.) We had two statements, the winning statement and the losing statement. Oh, we were so--we had won. I said, "Get the statements and put them in your pocketbook and we'll go down and leave them at the newspaper office." We locked the door and, by golly, had the losing statement instead of the winning statement, can you imagine that? And we didn't have the key to get back in. But we called one of the fellows that had written it and we drafted it again. [laughter] That was so funny.

By the way, in the campaign Brady put in two other candidates against me. He put in a man named Howard Ellis and Tom Forsythe. They were both put in the campaign by Brady. He put them in and Les Scillen wrote the speeches and then Ben Lerer used to deliver Howard Ellis's speeches for him. They would take Brady on very mildly but take me on viciously in the speeches. It developed into a two-man campaign. Those two got very few votes.

Fry: The Examiner called your victory the one upset in the city election which I guess is their way of saying--

Brown: I was a five-to-one short-ender in the betting. As a matter of fact, my cousin, Ernest Doyle, gave me five hundred dollars for the campaign. I went to Tom Kyne's out on Opal Place in San Francisco. Here you could place a bet and I bet \$500 on myself at five to one.

Fry: With your cousin's \$500.

Brown: Which I was supposed to spend for advertising. Then I went back and I got fifty \$10 tickets and I'd give these \$10 tickets to individuals. Maybe you were active in the League of Women Voters and I'd say, "Chita, here's a \$10 ticket. If I win you get \$60." So it was really a bribe. But I had fifty of the greatest campaign workers you'd ever seen. So it was really funny.

Fry: Your father's education was not for nothing!

Brown: He was really funny. He used to say, "Never give a sucker a chance." I'll never forget that. He was a laughing Irishman. He was quite a guy. But that was a great campaign. I worked very hard. As a matter of fact, I think the night that the returns came in, I was

Brown: more overjoyed at that victory than any victory either before or since. I can't think of any time in my life that I was more elated. I think the reason for it was that I had been in a lot of political campaigns and I'd come close but I couldn't get anybody to recognize me. I couldn't get any decent appointments. I wanted to get into government so badly in some shape or manner, either as a judge or an appointee or some kind. Brady wouldn't appoint me and even though I was in the Olson campaign, he wouldn't appoint me and the mayor wouldn't appoint me. I never could get an appointment. So that's the reason I ran for district attorney. I finally decided that nobody appreciates my greatness except myself! [laughs] So I started out by myself.

Fry: So the people did it. Let me cue in here the election returns. You got 97,229 votes, Brady got 90,127, and then these other two, Ellis, 7,129 and Forsythe, 3,633.

Brown: Yes, that was a good victory. It was very close though.

Fry: It was close enough to be a cliff-hanger, I guess.

Brown: It shifted all night. The first returns, I was defeated, then I began to win.

Fry: What kind of a party did you have?

Brown: That night?

Fry: Yes.

Brown: I remember now we went over to Broadway; I think it was Vanessi's, and they put us in a side room. It was after 2:00 and we all had drinks, we had a lot to drink and everything like that. Then I had to get up early in the morning for the pictures and the photographs and everything like that. But it was a very exciting night.

Fry: Did Bernice do anything in this campaign?

Brown: I can't remember whether she campaigned. I don't think she did very much, but she got a lot of her women friends. Bernice was the executive vice-president of the League of Women Voters. So she made a lot of friends of people that she got into my campaign for district attorney on my committee, very prominent club women that were active in the League of Women Voters. But I don't think she made any speeches or anything like that. Women didn't do so much in that day.

Fry: Was it coffee klatsching?

Brown: Well, we didn't do very much of that. It was a very personalized campaign.

Fry: You just went out and shook hands again?

Brown: Yes, that's right, that's Joe Murphy leading the fight. I can't remember. Dan Shoemaker must have been a judge then. So he was with me in the first campaign. I remember we got thrown out of the stat building.

Appointments; Reorganizing the District Attorney's Office

Fry: I'm ready to go into your twenty-seven positions for assistant district attorney that you had to give away when you were elected.

Brown: Twenty-four.

Fry: Running from \$200 to \$425 a month. That was a lot of money. That's 1943.

Brown: Let me see that. [reads item] I appointed them all. I tried to get good people and I made them all quit private practice and devote full time to the office.

Fry: So you took office January 8, 1944, and you had a new department of crime prevention which was really juvenile delinquency and that was Francis J. Shirley.

Brown: Yes, he was a member of our board of directors of this Police Signal. He was a Republican, too. He was an old friend of ours. He went to law school with me. He was a year behind me and a great friend of Harold's. They were lifetime friends. He died last year.

Fry: Do you have that booklet, Youth, Don't Be A Chump?

Brown: Yes, I have one at the office.

Fry: That's what your office put out?

Brown: Our office put that out and we distributed it to the schools and everything.

Fry: What was that?

Brown: It was just a little pamphlet. We tried to compare the game of life to sports. If you're offside in football you're penalized. If you're offside in life--as a matter of fact, I got a letter

- Brown: from a woman sending it to me and saying she thought it should be republished, just the other day. Isn't that interesting? I have it in the office some place. I can find it for you if you wanted to see it.
- Fry: Just so we have a copy in the Bancroft. Then there seemed to be a shift in your personnel later on May 30, 1944, when you named Lynch at that time to be your chief deputy.
- Brown: Bert Levit resigned. Bert Levit came in as a kind of a reorganizer. He was a real goer, a good lawyer with a big practice and he left his law practice to be my chief deputy for six months. When I became attorney general he became my chief deputy, and when I was elected governor I made him my director of finance. He stayed in all those jobs only six months to a year. I may forget this later but after--he came into me about six months later and asked me if I'd make a commitment to put him on the supreme court if he stayed as director of finance. I said, "No, I'm not going to make any commitment to anybody." So I wouldn't make any commitment to him on that. So he resigned. But we've always been friends. He was a Republican, too. He used to be very active in the Republican party. He had run for district attorney himself at one time.
- Fry: Then would he work for you in your campaign?
- Brown: He worked for me in my campaign. He was a good worker. Norman Elkington was a tower of strength in my campaign for district attorney, too. Norman was a lawyer but he also handled certain initiative campaigns in the city of San Francisco of various kinds. I can't remember what they were but he knew San Francisco politics, particularly on the Republican side. As a matter of fact, both he and I campaigned for Hoover in '32. We both made speeches for Herbert Hoover in '32.
- Fry: Yes, I think you mentioned that. You also appointed, on May 30, Norman Elkington as chief of the superior court division and William B. Acton as chief of the municipal division. Now, does that fall into criminal and civil?
- Brown: No, it's all criminal. We had no civil jurisdiction at all. The municipal court is the misdemeanors and the preliminary hearings. The superior court is the felonies and the trials. There's one story I have to tell you [about] after the campaign in '43 though that I think is very interesting and I've told a hundred times. Right after I was elected district attorney, I traveled around the state and I visited various district attorney's offices and the very first place I visited was Bakersfield and I went down to Bakersfield and I walked in to see the sheriff, as I would do, and

Brown: the district attorney. The sheriff said to me, "Why don't you come over? We're having a zone meeting of all the sheriffs of southern California. There's about nine or ten of them here. Come on over and meet them and you can talk to them and ask them questions. They'd be very happy to meet the new district attorney in San Francisco."

So I went over to the dinner at the Bakersfield Inn and there were maybe sixty people there, the sheriffs and their wives and their deputies, district attorneys. So I'm sitting there and all of a sudden they ask me to make a speech--say a few words, the new district attorney of San Francisco. Well, I really didn't want to talk about law enforcement. All of these people knew more about it than I did. I had defeated this Brady who had been in office for twenty-four years, so when I got up to make a speech I thought I'd talk about democracy. I said, "That's safe. Everybody will be for democracy."

The particular phase of democracy that I talked about was change in public office. I said, "The dynamics of democracy was keeping a person in office for a period of time. If he's good, give him a second term, if he's really good give him a third term," and then I thought of Franklin Roosevelt--this was '43 and I didn't know whether he was going to run again--"in history crises come along, maybe four terms, but never should a person stay in one office longer than four terms and ordinarily only two terms." Gee, as I got through I noticed nobody really applauded. I thought, geez, I'd laid an egg. So the wife of one of the sheriffs, she saw me and said, "That was a good speech. You said it very well, too. But unfortunately, all of these sheriffs have been in office for six consecutive terms. Wherever you go, whenever you make a speech, go ahead and talk about democracy, but you just end up your speech by saying, 'there's no substitute for experience.'" [laughs] So wherever I'd go I'd tell that story. I must have told it--I'll never forget Dan DelCarlo. We were sitting in the back of the automobile one day and I had told this story about ten times. We're on our way to Redding and he said, "Let's drive a little faster." I said, "Why?" He said, "I want to hear the story just once more." [more laughter] Oh my golly, we had a lot of fun in these campaigns.

I appointed a couple of women. I kept Edith Wilson who was one of the assistant district attorneys and I put another girl named Doris Schnacke and she was a very nice girl. Her brother is a federal judge, Federal Judge Schnacke of San Francisco.

Fry: Was she a lawyer?

Brown: She was a lawyer, yes.

Fry: Did you retain very many, Pat?

Brown: I retained about five or six. I retained four or five that I thought were able. There was one old fellow there that had been in the office that I really liked, Peter Cornine, and if I threw him out of office he would have had a tough time finding another job because Peter had been devoted full time to the DA's office and he turned out to be a tower of strength. He was a good lawyer and he knew the penal code and he was honest as the day is long and he made more friends for me by keeping him. All the police department loved him, so by my keeping him I became a great guy. But it was really just an act of humanity. It was a nice thing to do, that was all.

Then I had a bureau of domestic relations. I appointed three married women to that. I wanted them all to be married and I wanted them to have children because they dealt with the problems of the mother and divorce and child support. That was what they dealt with more than anything else.

Fry: What did they do, hold hearings?

Brown: One of the girls was a sociologist. I didn't know who she was, a Mary Smith, I brought her in. The other was Rose Budd. She was very active in the American Legion. She had been with Brady and I kept her too. Who the hell was the third one? I put some friend of mine on, some friend of my wife's, some lady who had a couple of children and needed a job. I can't remember what her name was. There's one other interesting thing. I brought as my secretary a woman by the name of Buckley. Miss Buckley, she must have been ten years older than I was. But she always seemed she must have been perpetually seventy years of age. She never changed. She was a little Irish Catholic woman, very unattractive to put it mildly. But I brought her in as my secretary. She couldn't get along with any of the other deputies and secretaries and when the press would take me on, she'd raise hell.

Finally at the end of the war, Mel Belli stole her from me--she was a good secretary. But I really had enough of her by this time. The newspaper reporters would come in and she'd put her arm around me and she'd say, "Oh, poor Mr. Brown, poor Mr. Brown." [chuckles] They used to kid me about it, the way that she'd say, "Poor Mr. Brown," she felt so sorry for me. Loyal--she was the most loyal person you'd ever seen. But when Belli took her away, I was kind of happy because a very pretty little gal came into the office by the name of Adrienne Sausset. Adrienne came in and she was kind of a little flirt. She had worked for the district attorney of Redwood City. I had an eye for a pretty woman even then, so she said, "I want to

Brown: be your secretary. I like you." So she became my secretary and she was my secretary for the seven years I was district attorney in San Francisco. I then brought her into the attorney general's office and she was my secretary for eight years as attorney general and I'll never forget. I sent her East. We had a big case on the tidelands and I sent her East for two or three months, so she'd have--that was a good trip for her to be the secretary to our staff back there. Then when I became governor she was my secretary for eight years as governor. We were really very, very close. I never had an affair with her. I never was in love with her, but I was very, very fond of her and we were very close and I tried to help her.

When I left the governor's office one thing I asked Reagan to do. I had appointed her to the Youth Authority. There was a vacancy on the Youth Authority. I said, "There's only one thing I ask you to do and that is to keep Miss Sausset." (She had a mother who was very ill and every nickel she earned went out for hospital bills for that mother of hers.) Reagan didn't do it, but in all fairness to Reagan he gave her another position on the Alcohol Control Board so that she could get her twenty-five years in and get a pension. She stayed on there for two or three years, and then he didn't reappoint her. But about four years after I got out of office, she came down with a tumor of the brain and died, a malignant tumor of the brain. She was a wonderful person. But the general reputation was that she and I had something going. We didn't.

Fry: Well, I'm glad we've got your testimony on tape.

Brown: Get it on tape, please.

Fry: Was Adrienne the type of secretary who could really take a lot of the work off of you?

Brown: Oh, yes. She took shorthand faster than anybody I've ever seen. She was a very competent person and people liked her, although she got to be a little bit arrogant. But she went out with a lot of people. I'll never forget one judge that I appointed, I had a testimonial dinner for him after I appointed him. I got up and I said, "I appointed this man not only because he was a good lawyer, a graduate of a great law school, Harvard, had a lot of good friends that recommended him. But he had the good sense to take out my secretary so he must have had pretty good judgment." [chuckles] He had taken out Adrienne and so had a couple of other people that I appointed. She would come in and lobby me for them, and I thought if it would help her with her dates I was willing to give her a little boost.

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Prosecuting Attorney; Wartime Problems; Concern for Minorities

Brown: Did I tell you about the Nick de John case? Nick de John was found executed. His body was found in the back of an automobile with a wire rope around his neck and they arrested four people based upon the testimony of a woman by name of Anita Venza who testified that she heard these men plot to kill Nick de John. I sat over in court and I heard her tell her story and she told a completely different story on the stand than she told me when we took her testimony down. I sat there and I didn't know what to do. I didn't know whether to tell the court she had told a different story, but I decided that I'd leave it to the defense counsel to bring it out. I wasn't trying the case, but another attorney was trying the case.

After the jury was out about seven or eight or nine hours, I decided that I could not let the jury bring in a guilty verdict because I just didn't believe her testimony. I thought she was a goddamn liar. So I went in to see the judge, Preston Devine, and I said, "Judge, I want to tell you something. I don't believe our principal witness's story. I want you to bring that jury in and discharge them."

He said, "Will you move to do it?" I said, "I will personally move to discharge the jury," which I did. I was certain I was handing in my resignation as district attorney, because I thought the newspapers would say, "Why did this man prosecute these people without sufficient evidence? Why did he do that?"

I thought they'd drive me out of office. But I didn't think I should get a conviction based upon the testimony of a woman that I thought was a perjurer. I would have done it right away, but if I had done it and the case had been dismissed at that stage of the game, these four defendants would have been in jeopardy, and I never could have tried them again from a legal standpoint. I thought they were guilty but I couldn't let it go to the jury.

The judge said to me from the bench, "Mr. Brown, I just want you to know that that's one of the finest things that I've ever seen a prosecutor do. I want you to know that you are to be blessed" or some words to that effect. I can't remember. You'd have to see the clippings to it. If he hadn't said that, I would have been dead. This judge, when I became governor, I put him on the appellate court and then I made him presiding justice of the district court of appeal. He was really fine and forever after I'll never forget the respect that he showed me for what I did.

Brown: Then I had another case that I was prosecuting, one of the cases that I tried myself. I told you about that, where two men had shot and killed a man and the defense counsel, Alfred Hennessey, made a stirring appeal and when I got up to make my argument to the jury I said, "Ladies and gentlemen of the jury, I don't know whether the defense counsel convinced you, but he convinced me. All I want you to do is to find these men guilty and I don't want you to bring in the death penalty." Which showed me even at that time I was a softy on the death penalty. I just couldn't kill those people. You know, to be a district attorney of a first degree robbery homicide, to ask a jury to bring in a life sentence. I did believe in the death penalty then, I really did. But when I was the prosecutor, I just couldn't do it. There's more to that story than I'll tell you.

Fry: You believed in the death penalty?

Brown: I believed in the death penalty.

Fry: But you couldn't do it when it came to the specific person?

Brown: That's right, that's right. I couldn't do it.

Fry: When you were DA, there were some special problems that seemed to be distinct in that particular period. A lot of it concerned the fact that it was a wartime period. I get a picture of an influx of juveniles because of the war jobs and the city was filled with kids who had never been out from under parental control, and this brought on apparently some religious tensions and a lot of different groups from different ethnic backgrounds coming together for the first time or at least more, and this intensified some things--race relations and things like that--which you had to handle.

Brown: Yes, that's very true, that's very true. In '44 and '45 the war was going on and there were a lot of young men in the service that would get into trouble. I really tried to distinguish between the lonesome kid away from home or the little lady that was there with her boyfriend or husband and then she'd get into trouble of some kind and I tried in a small way to help them.

There was one case, a Mrs. Flack, I don't know whether you remember that, who let her little baby starve to death. I'm afraid to get into my cases. What I may do is to give you the book that is partially written and I think in that book some of my cases are in there. But otherwise you and I could spend some days on these cases that I had.

Fry: Okay, what we might go into are the ways that you organized your office to deal with these problems. Apparently you set up an interracial department.

Brown: I appointed a black lawyer and a black sociologist--I can't remember the names of these two people--to make a survey of whether or not the blacks were committing more crime than their proportionate numbers--number one. Number two, what were the reasons for it? They came up with a very definite conclusion that they were committing 37 percent of the crime and there was only four or five percent in San Francisco at the time. But they found out that they lived in the slums, lived in bad areas, poor families, jobless, and that all these things contributed to the greater crime rate of the blacks. But beyond peradventure, the blacks that came out of the South had been ill-treated, they were very anti-white, poorly educated, bad economics, and they really committed a whole lot more crime--pimps, robberies and everything else. It was a sociological thing, which has changed certainly in the last thirty years, but it's still a hell of a big problem. Thirty-nine percent of the blacks are still out of work. First you see, fifty percent of the children born in Washington are illegitimate. There's no fathers in the home.

Fry: Born when?

Brown: Last year born in Washington, D.C. are illegitimate, so there's no father. You've got a matriarchal society with the mother probably getting up at 5:30 in the morning to go to somebody's house to keep their house clean and getting back at 7:00 or 7:30 at night. So there's really no guidance and if they need educational help they don't give it to them. The blacks have a real tough problem. I appointed the first black district attorney in the state of California, Cecil Poole.

Fry: As a deputy for you?

Brown: Yes.

Fry: Because of this?

Brown: Well, I wanted a black district attorney, that's right. I appointed the first Chinese district attorney, Jack Chow. I appointed more women district attorneys than anybody before that time. [tape interruption: telephone]

Fry: On the black problem, did they come up after this survey with recommendations?

Brown: Yes, they came up with a report. I can't remember what it was. A couple of other things that I did that showed I was more than a prosecutor, that I was socially-minded. I made a housing survey following that. I got a group of people that had helped me in Cincinnati, young people, to go door to door, to find out about

Brown: whether the building restrictions were being enforced and then to find out whether or not there was any causal connection between housing and crime. In 1948 they had a bill that prohibited public housing without the vote of electorate. I went up and down the state opposing that. That was in '48 or '49 when I was district attorney.

I also, on this youth thing, I organized a campership fund for young people--to send people that had never been out of San Francisco to a summer camp. Later that was taken over by the Guardsmen, which was [and is] a group of well-to-do young men; they sold Christmas trees and raised money for it. We started that. What else did we do as district attorney?

I had this crime prevention bureau to try to prevent crime. We really did some good work.

Fry: You also had a major problem of venereal disease. The reports say it was at an all-time high. I wonder if your creation of venereal disease control board on April 4, 1945 was helpful.

Brown: That was really not my idea. The Army and the Navy, not as moralists, but because it interfered with efficiency of the Army and Navy, had social security--I forget what they called it--and if you didn't close up all the whorehouses in town, why, they would report it in the newspapers. I can remember a Dr. Koch, who was the head of that, who was the venereal disease control doctor in San Francisco. We had the meeting of this venereal control board and we just had to close up those houses of prostitution. Those poor soldiers would want their women, but the venereal disease would get very high. Of course, you can close those places up but you can't make screwing unpopular, so you've probably got more venereal disease from street-walkers when you closed up the whorehouses. But that was '44-'45. That was a wartime measure to protect the soldiers. The services just were rough about that.

Fry: You did suggest in the newspapers that the bars could be closed where infected women hang out to do their pick-up.

Brown: Yes, but I don't think I ever closed any.

Fry: I should think that would really get into a mess.

Brown: I don't know how the hell I could tell they were infected. Well, I'll tell you what they would do; here's what they would do. They would trace--the law mandates a doctor to report the names of everybody with a venereal disease and they would have workers that would go to visit the man--"Where the hell did you get the dose?"

Brown: or vice versa, the woman, and this was the venereal control. Of course, if they would say, "I picked them up at a bar at 919 Mason Street, San Francisco," and you got nineteen or twenty, they would report those things. They had a report. So we threatened to abate them as a public nuisance, and I think we did bring two or three cases to try to get these bar owners to keep the infected women out or to try and keep them clean anyway. So that was part of our activities.

Fry: Did you and Dr. Gieger, who was the city health director, did you two get along?

Brown: Oh, yes, we got along fine although he was an oldtimer. I've got to make a call. You might look at some of these pictures. [tape interruption: Brown makes call]

Bob Kenny and 1946 Statewide Campaigns

[Date of Interview: 7 March 1978]###

Fry: Among the papers that I ran across from 1946, there are some major contributors that stand out from the primary. You were hoping that these people could also help you then in the general after you won the primary. There is Albert J. Stern, attorney, who gave \$2,500 in the primary. Bonnie Norwick gave a thousand, Morris Grupp gave a thousand, Raymond J. O'Conner gave five hundred and W.A. Newsom gave \$6,000. Who's W.A. Newsom?

Brown: He was my oldest friend. As a matter of fact, I was his attorney back in 1930 or '31 right in the depths of the Depression. I was his attorney and lawyer and he was the one that supported me for district attorney and really backed me up in good times and bad. He was really a very strong supporter. He was in the flower business originally and then he went into the building business; he was building homes and did very well. I knew him when he got married, and he had five or six children. I think I was the godfather for

*Much of the background research for this session was based on papers in cartons 10, 16, 29, 42, 69, and 46 in the pre-gubernatorial section of Edmund G. Brown's collection in The Bancroft Library.

Brown: one of his children. As a matter of fact, when I ran for district attorney, he gave me \$5,000; Al Stern gave me \$5,000; and I put \$5,000 of my own up. That was in 1943 and so he continued in '46 when I really didn't have any chance to win, he was still very liberal. I didn't have very much money in that campaign.

Fry: Did most of these people follow through on the general election?

Brown: I can't remember. I can't figure out what we did on that.

Fry: This was an August 17th report where you were gearing up to collect money for the general. Then in the general election there was \$1,000 from Max Fogel. He's another one whose name crops up on the notes that I have.

Brown: Max was another one of my old, old friends. He was in the liquor business in San Francisco. He was one of my supporters after I was elected district attorney and became friendly and he and I were very close friends until the day he died. I think he died before I was elected governor, but he helped me as district attorney and attorney general. In all of these campaigns, there's always three or four people that you become very close to, people of means and wealth, and they put it in because they really love you, they really don't want anything out of the campaign. But every candidate gets his people that admire and respect him, and they're really more enthusiastic than you are about your own chances.

The '46 campaign is very interesting and I just want to report it to you. Bob Kenny had been the attorney general before that with Warren the governor. Kenny was a brilliant man. He was a superior court judge who ran for attorney general in '42 when Warren dropped out [as attorney general] and was the only Democrat elected in that campaign. In '46 he determined to run for governor, why I'll never know. Right after he announced for governor [March 5, 1946], he decided to leave for the Nuremberg trials, to watch and observe the Nuremberg trials. He was attorney general. So he left the campaign with the statement, "All of the mistakes a candidate makes he makes right at the beginning of the campaign as soon as he enters and by getting out of here I'll avoid making those mistakes."

He came back from the Nuremberg trials four or five weeks later. The campaign was well underway and he met with me in San Francisco. As a matter of fact, we had what we called the package deal in which we were all running as a team. We had two candidates for United States Senator. We had Will Rogers [Jr.] and Ellis Patterson. Then we had Kenny for governor. I can't remember who the candidate for lieutenant governor was [John Shelley]. You'll have to check that out. Then we had a Mrs. [Lucille] Gleason running for secretary of state.

Brown: But I was running for attorney general. I could never forget him taking me into the attorney general's office in Los Angeles and seating me down at the table and calling the press in and taking a picture of me sitting in the attorney general's seat. This was against the district attorney of Los Angeles [Fred Howser] so it was a very bold thing to do.

Fry: You were running against the district attorney of Los Angeles?

Brown: Yes, that's right. As a matter of fact, when he had been running for re-election (we were part of the district attorney's union you might say) somebody was running against him, and I said, "He's one of the best district attorneys in the state." He never let me forget that one! [chuckles] I was trying to help him out and I had to laugh every time he'd quote me--"Why would this man be running against one of the best district attorneys in the country, not in the state?" In my usual extravagant way, I went all the way out Market [Street] for him.

But in that campaign, we had a meeting of about thirty Democratic leaders from around the state in Bob Kenny's office in San Francisco and came up with candidates for all the offices. We decided to run as a package. We crossfiled and were asking people to vote just for Democrats. Well, the Republicans picked this up and called it a "package deal" and the Republican newspapers said it was undemocratic and had been all wrapped up by a few political bosses. Squire Behrens just ruined us on the thing in the Chronicle.

So when we were in San Francisco, Kenny said, "I want you to go down to Los Angeles." We went down and met a woman by the name of Abowitz. She was the wife of a Dr. Abowitz and later disclosed as a Communist. A brilliant, young Jewish woman. I can't remember who else was there that night, some of his closest friends from Los Angeles. We started telling Bob Kenny of all the people who had come out for Earl Warren for governor and he literally that night disintegrated. He got drunk and I could just see him literally collapse before he got out of there because here he found himself giving up the attorney general's spot and people that had thought it would be a lead-pipe cinch, close friends of his and alumni from Stanford University, all had come out for Warren.

So he made a half-hearted campaign after that in the primaries. It was really a very weak campaign. I started running all over the state. I used to make a short speech and I would always end up with a biblical expression. I can't remember what it was, but that I was the low man on the totem pole. Well, I made a good impression. I knew that people liked me. My speeches were short but emphatic and I would talk about my record as district attorney and I made a pretty good showing.

Brown: In the primaries when the first returns came in, I had lost both party nominations to Howser. He had won both the Republican and Democratic nominations and I thought I was out of it. I wasn't too unhappy because without anybody to head the ticket, I knew the chances of beating Howser were very, very poor. But they found that they had made a mistake of 20,000 votes in Alameda County. So forty-eight hours later I was the Democratic nominee. So here we were running without a candidate for governor.

But I enjoyed it. The crowds were small. We didn't have very many people and it was really pretty bad.

Fry: Why did you enjoy it?

Brown: Well, I just enjoyed the campaigning. It was part of my life. [tape interruption] I enjoyed that election very, very much. I can't remember how it was, but he only beat me by about 200,000 votes. It sounds like an awful lot, but it really wasn't very much because Warren had won both party nominations. It was really a tough fight. We carried on a pretty rough campaign against Howser in that campaign. We accused him of being in with the gamblers and we made tough speeches. I was really a little appalled by Norman Elkington who was a prosecutor. He really had some tough statements to make about Howser.

Fry: Yes, there's a file in your papers on "Research on Howser." [laughs]

Brown: Oh, is there?

Fry: Yes. It shows the connections to the gambling ships.

Brown: Oh, yes, we took Howser on. His chief deputy DA was a man that I later appointed judge because I felt badly about the attacks that I made that I couldn't prove. So his chief deputy that I accused of helping the gambling ships was really a nice guy.

Fry: That's an interesting P.S.

Brown: Our whole ticket went down to disastrous defeat. But it laid the foundation for my victory in '50 because I made good friends throughout the state, made a good impression. I went back as district attorney of San Francisco, re-elected the next year by a tremendous vote, one of the highest votes any candidate ever received before or since in San Francisco.

1947 Re-election as District Attorney

- Fry: In your 1947 campaign the next year for district attorney, I noticed that some of the same names crop up, like Raymond J. O'Conner was your chairman.
- Brown: He was my law associate in San Francisco. He took over my law business when I became district attorney and my brother's business too.
- Fry: I wonder if this didn't help you keep your connections to this bunch of supporters that you had in '46. The treasurer was Parker Maddox in '47.
- Brown: Yes, he was the president of the San Francisco Bank. I got a lot of new support when I ran for re-election from all the people who had been for Brady in '43, all turned to me. I got the support, I think, of all four newspapers in '47.
- Fry: Forty-seven was much easier then. Back to '46, you have your final finance plans handled by Jake Ehrlich and Garret McEnerney.
- Brown: McEnerney is still alive.
- Fry: He also wanted George Sullivan on the committee. I don't know whether George Sullivan made it or not.
- Brown: Garret was really one of the Republican fund collectors. I can't remember whether he came out for me or not.
- Fry: Who was Jake Ehrlich?
- Brown: Jake was a famous criminal lawyer in San Francisco. Jake was supposed to be a fixer. He supported me for district attorney in '43 because Brady tried to get him indicted for giving a witness money to leave the city. Jake was a strong supporter of mine even though he'd be down in court trying to get all sorts of favors from me and I'd never do a damn thing for him. He finally got angry at me because I wouldn't do anything for him and I don't think he helped me in '50 for attorney general. I'm not sure, but I don't think he did.
- Fry: I didn't see his name.
- Brown: He didn't help the other guy, but he's like a lot of the people that support you and they expect big favors and you can't do it for them.

- Fry: Then after the election, you had your official deficit campaign collection committee and there was a January 15, 1947, letter from Phil S. Davies that you had asked him to be chair of the deficit finance committee and that \$10,000 was needed and would he accept this task. I don't know whether he accepted it or not. Can you remember who helped you mop that up?
- Brown: We must have got it mopped up because I don't owe it now. [chuckles]
- Fry: And I found some people from Blum's candy coming in to help you clean it up.
- Brown: Fred Levy.
- Fry: Yes, \$500 and \$447 and then they also paid off the printing company for you for \$492.
- Brown: Nate Milnor. Who the hell was Nate Milnor?
- Fry: He was in Blum's.
- Brown: No, he wasn't in Blum's.
- Fry: Well, he wrote you on Blum's stationery.
- Brown: Not Nate Milnor. That must have been Fred Levy.
- Fry: Fred Levy did and so did Nate Milnor. Maybe he was in Fred Levy's office. [chuckles]
- Brown: Nate Milnor lived in Los Angeles. I can't remember but he was a great friend of Annie Miller. Annie Miller became quite a friend of mine too. Was Bill O'Connor in my '46 campaign? I think that's where I first met Bill.
- Fry: Oh, Raymond O'Conner?
- Brown: Bill O'Connor became my closest friend and chief deputy.
- Fry: It may have been. I don't have that. So that's a distinction we should make.
- Brown: Oh, yes, Ray was my associate in San Francisco in the law business when I was elected district attorney and took over my offices and all of my clients. Bill O'Connor was the Los Angeles lawyer, the nephew of Jackie O'Connor, and he became my closest personal friend until he died, in 1959 I think.

- Fry: You had a lot of assistance in your DA's office that you were really coming to depend on at that time, like Tom Lynch and Norman Elkington who was chief of their superior court division. Lynch was your chief deputy and William B. Acton, chief of the municipal division. All these men had come in May 30, 1944. I wonder which ones--
- Brown: May? They must have come in before then. They came in after I took the oath of office.
- Fry: But then you had a sort of a reshuffle just a few months later where the whole office had been reorganized?
- Brown: Bert Levit came in and we put together a staff. And we went over to Earl Warren's old office, over across the bay, and we met with Ralph Hoyt who was then the district attorney and we patterned our office after the Alameda County DA's office which had a reputation of being one of the best district attorney's offices in the United States, which it was. It was really good. He was a tough district attorney, Warren was. As I told you in some of the other interviews, he had a complete change after he became-- the change began during the governorship and, of course, a radical change when he became a chief justice.
- Fry: I was just going to ask you to give a general assessment of who were your most valuable assistants in your district attorney's office, before we leave the subject.
- Brown: Tom Lynch tried the major cases and Norman Elkington tried major cases. Then I had Vincent Mullins who was a tough prosecutor. I had Marshall Leahy who was a part-time deputy who had a big law practice; we had him handle the grand jury. I felt the grand jury was one thing that didn't call for great criminal law ability but what it depended upon was the ability to get along with all of these politicians who were appointed to the grand jury and Marshall Leahy was a master at that. He handled them very well. They liked him. He was a nice-looking fellow, a successful lawyer. Then I had Charlie Perry who later became a judge and Alvin Weinberger who became a judge. That was not Cap Weinberger but it was a relation. Cap Weinberger was Reagan's finance chairman. A fellow by the name of Burt Herschberg was one of my chief trial deputies.
- Fry: Don't name too many here. I'm just trying to get your own assessment of the very top ones and who were the most dependable.
- Brown: I told you I appointed the first Chinese district attorney, Jack Chow; and the first black assistant district attorney, Cecil Poole; and I appointed two or three women, Doris Schnacke and Edith Wilson.

VI ELECTION AS ATTORNEY GENERAL, DIVISIONS IN THE DEMOCRATIC PARTY,
1950-1952

Left-Wing Philosophies and Issues

Fry: Then I'm ready to plow on to your 1950 campaign.

Brown: Plow right on, my dear.

Fry: There were a lot of Democratic party problems then and I don't know exactly what your relationship was to those. I notice that in 1946 you did get \$1,500 from the Democratic State Central Committee with more expected. The problems I'm thinking about in 1950 were, first of all, it looked like a kind of an earthquake was trying to happen but it didn't happen yet because James Roosevelt wanted George Miller to be chairman of the state Democratic party with Glenn Anderson as vice-chairman. But then Francis Dunn of Oakland lined up Bill Malone and Monroe Friedman to support Fred Trott and Fred Trott finally got it as state vice chairman. This also involved Helen Gahagan Douglas who at first said she'd back George Miller and then changed to Trott.

Brown: Fred Trott was a horse's ass later.

Fry: Right after this, I think it was in January or February of '51, Trott moved out of the Democratic headquarters office and he split for Malone and Friedman and John McEnerney?

Brown: Yes.

Fry: And Heller?

Brown: Yes.

Fry: Oh, he split off from you.

Brown: Oh, did he? I just remembered the name when I saw the papers that you gave me. Let me interrupt--I don't mean to interrupt your train of thought, but there is one other thing that's important in the district attorney's campaign. Edward Preston Murphy was a judge. I don't know whether I told you about this. I had been a member of the Lawyer's Guild back when it started in '38 or '39 because I thought the bar association was too conservative. The Lawyer's Guild he asked me to join, saying that he was the president of it. He was a judge of the superior court but he was the president of the Lawyer's Guild. I joined it. I was district attorney. He was the presiding judge of the criminal departments. Later on, in '52, Nixon used that against me to try to prove that I had once been a member of the Communist party.

They kept bringing that up and also, the thing that they never let up on, was back in 1944 or '45, they were trying to deport Harry Bridges. I sent a wire to President Roosevelt and asked him, I said, "This man is laboring hard in the war effort and it would be a very serious mistake to deport him. I don't know whether he's a Communist or not but he's certainly working with us and getting our ships loaded." They never let me forget in any campaign that I sent this wire. But I made a lifelong friend out of Harry Bridges as a result of that. I was always happy that I had the courage to support a man like Bridges who was reputed to be a Communist and in those days it was really pretty bad. Even though they were our allies in the war, it still took a degree of political courage to support a so-called left-winger and a person who had caused such a revolution on the waterfront.

Fry: Shattuck made this one of his major points against you, it looked like. There were some Shattuck speeches that some of your aides had gone to that were transcribed in your papers, and he always hit this business of you having asked not to deport Bridges. He really tried to show that you were red.

Brown: [chuckles] I suppose that I was a little red at the time. I was really a very devout, practicing Catholic in those days and I think that always established the fact that I was certainly not a supporter of atheistic Russia. But I never feared Communism as an issue in this country. I never had any sympathy for these people that red-baited all the time. It was just against my sense of what was right.

Fry: Inside the Democratic party in this period of 1950, you weren't lined up with the more left-wing elements, however.

Brown: No, I was lined up with the Democratic machine--the Malones, the John Anson Fords if you will, the Manchester Boddys and the people you might call the moderate Democrat. There were some real left-

Brown: wingers in the Democratic party. I didn't realize it in '46, but I really think to this day that some of them were actually members of the Communist party. I think it developed later on, like this Abowitz that I'm talking about; she later refused to testify but it was brought out beyond peradventure that she was a member of a Communist party cell.

I always had a feeling that maybe in the early thirties in Los Angeles that Bob Kenny who was a real intellectual and there were a lot of very brilliant people in the Communist party in those days, that he was recruited and was a member of the Communist party. The reason he ran is that some of the people in the Communist party told him that if he didn't run, "We'll expose you." I have nothing to base that on other than the fact that it was such a stupid thing for him to run against Earl Warren because he rather respected and admired Warren. That's the funny part of that.

Fry: Why would the Communists want him to run?

Brown: Just to have a left-winger in as governor of the state of California; to have a member of their party in there. It would help their cause. As a matter of fact, there was a group in the Young Democrats in San Francisco that were actually members of the party. They were a cell of the Communist party it came out later. I can remember at Young Democrat meetings they were the parliamentarians. They knew the law. They would stay all night until they achieved their purpose when everybody else left and they'd get through these left-wing resolutions that would hurt the whole Democratic party. As a matter of fact, there was one very attractive girl. She was the wife of a fellow named Green. I'll never forget it. She went back as a delegate on the train.

Fry: When?

Brown: I guess it was '48. It may have been '44. It's hard to tell.

Fry: The Bay Area had a tradition of communism and communists in its more liberal labor movements.

Brown: San Francisco was always a very liberal city. They condone prostitution and abortion. I don't think there was at that time any tolerance, however, for drugs. I don't think there was much tolerance in a Catholic city like San Francisco for adultery or anything like that. That certainly was verboten as far as the average Democratic leader. They were good husbands and I can't remember any extracurricular activities amongst the leadership of the Democratic party in San Francisco. In southern California, of course, there was an easier moral code, more people in the motion picture business and things like that.

Fry: I wonder if that ties up with the fact that there is a faster fission and fusion in the Democratic organizations in southern California than there has been in the north, as groups split apart and alliances are formed and reformed, political alliances I mean. [chuckles]

Brown: There was a real core of left wingers that grew out of the Upton Sinclair movement in 1934 and the election of Olson in '38. It continued all the way down through the formation of the Democratic Council.

Fry: The CDC?

Brown: The CDC, yes. You had to be careful because they would make extreme resolutions. I can't remember what they were now, but they were maybe recognition of Red China going back to those days. It later turned out to be far more acceptable but they were so far ahead of their times that it was very bad politically.

Fry: Who were some of these people who were the more left wing leaders all the way up?

Brown: Jimmy Roosevelt was their darling. Richard Richards who later became more of a conservative and who later became a state senator from Los Angeles and I would say Helen Gahagan Douglas was a liberal, too, an extreme liberal in those days. I'd have to see the names to know who they were. But you'll observe in my campaigns for attorney general, that I appeal to the moderate lawyers of Los Angeles, if you look at the headings that you sent me. This was some of the outstanding younger members of the bar in Los Angeles. A great many of the Irish Catholics in Los Angeles too began to support me, probably because of our kinship in religion.

1950 Attorney General Campaign

Fry: Were those attorneys' groups your major groups of organized--?

Brown: They gave me--I know that it's one of the lists here. [pause to look through papers] I have a very great list. Henry Norris was president of Equitable Life Insurance in San Francisco. The Brown delegation.

Fry: We're in 1950.

Brown: In the '50 campaign I had a substantial group.

Fry: You had groups like Attorneys for Brown.

Brown: Yes, the Lawyers for Brown.

Fry: And Republicans for Brown. I think there probably was an unnamed group of Negroes for Brown. So I just wondered which one was the biggest group.

Brown: The biggest group was the Democrats. I tagged along in the campaign, going to Democratic meetings in '46. My whole campaign was attending Democratic meetings for Kenny and the Democratic nominee for the United States--well, that was '50. In '46 Will Rogers was the nominee for the United States Senate--

Fry: Yes, he was running against Knowland and that was a tough campaign.

Brown: He was defeated.

Fry: What do you mean your whole campaign was "tagging along?"

Brown: I couldn't arrange to have meetings of my own. I didn't have any individual campaign. We would travel around the state together and I would always make speeches with them.

Fry: In '50 was this the first time you had used Harry Lerner? I didn't see his name before.

Brown: I think it was, yes.

Fry: You are listed as giving money for your very own campaign.

Brown: Right. That campaign was an individual campaign in 1950 because I didn't want to be tied up with Jimmy Roosevelt. I didn't like Jimmy's performance in '48 where he tried to dump Harry Truman, although at the beginning I was part of the "Dump Truman" movement. I sent a letter to Jimmy Roosevelt where I said, "We ought to select Eisenhower."

Fry: We've got that letter in your other interview.

Brown: Have you? Very interesting.

Fry: It is interesting, the advice that you would get from different people as to whether you should team up with Helen Gahagan Douglas and Jimmy Roosevelt or whether you should stay away from them.

Brown: I also was kind of a Democrat from northern California, a little bit suspect that I really wasn't a Democrat. I had been a Republican until 1934 and like all turncoats I was always suspicious.

Fry: They were suspicious of you.

Brown: They were suspicious of me, right.

Fry: I found a memo that I think is either from John Cassidy or Wendell Greene in Los Angeles about minority groups and how you should direct your campaign.

Brown: Wendell Greene was a Democrat. He was connected with the Los Angeles Sentinel, which was a black newspaper.

Fry: Was he black?

Brown: Yes, Wendell Greene was black.

Fry: Was John Cassidy black?

Brown: No. John Cassidy later became a city councilman. Cassidy was a public relations man.

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Fry: Leon Washington who?

Brown: Leon Washington was the owner and editor of the Los Angeles Sentinel and he and I became very, very friendly. So I got the support of the black newspapers right from the beginning and I continued to get support right to the end. Then he supported Jerry when Jerry ran for re-election.

Fry: So this carried on through a lot of campaigns then?

Brown: Yes, he was one of my close supporters.

Fry: This memo was kind of interesting because whoever wrote it advised you to connect yourself with Jimmy Roosevelt and Helen Gahagan Douglas because they had the great pulling power with the Negro vote and you being a northern Democrat probably wouldn't have because you weren't as well known in the south. They also suggest (and I don't know whether you did this or not) that Cecil Poole--did you get Cecil Poole to see that a regular series of stories about you and minority groups would appear in the press from September on in this campaign?

Brown: No, I didn't know that.

Fry: So you didn't do that. Did you connect yourself with Roosevelt and Douglas in the minority neighborhoods?

Brown: Oh, yes, wherever I could. Wherever they were strong I went with them, but wherever I thought they were weak I dumped them or ducked them. It was really a very practical political situation. [looks through papers] There must be another page because you had a list of all my lawyers. I saw it on a piece of stationery and I was really amazed. It was very interesting.

Rival Candidates Howser, Shattuck and Brown

Fry: In the primary you polled 704,000 plus in Democrats and 248,000 plus for Republicans. Shattuck had 551,000 Republicans and 262,000 Democrats and Howser had 276,000, almost 277,000 Republicans and 403,000 Democrats. So I wonder if you had aimed your primary campaign at the Republican Shattuck or at the Republican Howser. Which one did you try to destroy in the primary?

Brown: What were those polls again?

Fry: Shattuck won over Howser. Shattuck, in the Republican returns, he had 552,000 and in Democrats 263,000, so they have about 850,000.

Brown: How many did I have altogether?

Fry: You had a million.

Brown: Yes, but if you add Howser's votes to Shattuck it was a close campaign. Howser was under attack by Warren's Crime Commission throughout the whole campaign and that's why he was defeated.

Fry: Somebody told you that Earl Warren had told him--this is 1950--that if Howser won the primary Warren was going to be for you in the general election.

Brown: Yes, right.

Fry: Warren was not very red hot for Shattuck either.

Brown: Didn't we talk about that? I went to Drew Pearson with a story in '50 about we had a series of letters written to the Republican L.A. County committee chairman by Shattuck. The letters were highly critical of Warren. The chairman was angry with Shattuck for something. I was very lucky.

Fry: That was just dumped on you from outer space?

Brown: From outer space. He just came to us with the letters. He had these letters that Shattuck had written disparagingly about Warren and we got those letters published by Drew Pearson. We couldn't get them in the news columns; they wouldn't use it. So we gave them to Drew Pearson and Drew put it in his column. So that infuriated Warren and as a result of that, Warren didn't take any position in the '50 campaign. If he had, I would have lost. So I was very lucky. It was like the good Lord gave me these letters, and then it was very fortuitous that Harry Lerner had the good sense to see their value. Harry Lerner was an excellent attacker. He was a vicious attacker and very, very interesting.

Fry: So Lerner's the one who saw that this would be good grist for the mill.

Brown: He was the one that created--and he wrote some stories about it too and gave them to Drew Pearson and Drew of course was always looking to take on anybody no matter who the hell it was and we became very close friends after that too. I always regarded Drew as having elected me attorney general.

Fry: For the benefit of the record, those letters that they picked up that were given to you, I'm told that they were sent to a publicity man in Los Angeles from Shattuck during World War II when Shattuck was on the draft board in Washington. Shattuck offered to help someone get an army commission if this man in southern California would help to force Earl Warren to give Shattuck an appointment back in California as a selective service director. He never got the appointment and in another letter Shattuck had referred to those northern California Republicans as "highbinders"--I don't know what that means but it definitely wasn't meant to be complimentary. The next thing you see in your papers is an interesting exchange between you and Shattuck. I wondered if this indicated that the whole character of the campaign had changed from a sort of mealy-mouthed one to one of considerable lively debate because you asked Shattuck a bunch of questions for him to answer on this. "Is it not true that when you were prosecuting attorney"--and Shattuck comes back then with a lot of charges against you in the form of questions--"Is it not true that you so-and-so." I wanted to run through those with you and ask you to put yourself back in the 1950 campaign and see what you did with those questions that Shattuck charged you with.

Brown: Okay, but before you do that, we engaged in the first state television debate in 1950. Did you know that?

Fry: No.

Brown: Yes, we were both on television down there in one of the stations. It was one of the first statewide debates. I don't think Warren and Olson--no, they didn't have television in '42. Warren wouldn't debate with Roosevelt. He wouldn't debate with him. But we were on television. We were both scared to death but Shattuck was more frightened than I. He was pretty near shock he was so scared.

Fry: Was this after the Drew Pearson article?

Brown: I can't remember what stage of the proceedings it was. But it must have been in the finals because it was only Shattuck and myself. I think the debate and the way I handled myself, I think that played a great part in my election over Shattuck because I was the only Democrat to be elected that year.

Media Efforts, Campaign Organization, Maintaining Distance from
Roosevelt and Douglas

Fry: Had you been on statewide TV before in a campaign? This was 1950 which was rather early.

Brown: Almost the beginning of television. No, there was no statewide television then. It was all local television. In '50 they didn't have statewide television. I was on television in Los Angeles. I'll never forget one time someone said, "How would you like to get on television?" I said, "Fine." So I came home and told Bernice, "Gee, I'm going to be on television, Bern." She said, "What's the subject?" I said, "I forgot to ask." [laughter] I was going to go on just to get on television. I thought, "Gee, that will be wonderful."

They didn't have any taping or anything. You were always on live. So they finally told me it was unification of the Armed Forces. I thought to myself, I didn't know anything about unification of the Armed Forces but this was one of the important subjects. Time magazine came out with a wrap-up of it so I got hold of this and I became a twenty-four hour expert on unification of the Armed Forces.

Fry: This was still mainly a newspaper campaign though, I guess.

Brown: Primarily, and I got support of the McClatchy newspapers. The Republican papers then, the Tribune, the Chronicle, the Times, the San Diego papers, and the Orange County papers which didn't amount to very much then, they supported Republican candidates even if they were highbinders.

Fry: In the primary it looks like the San Francisco News gave you what you called "fair treatment" in your thank you letters. The San Francisco Call-Bulletin with Bill Coblentz gave you "splendid publicity." Were they pretty much behind you both?

Brown: I guess they did. The San Francisco newspapers, I think, all supported me. I'm not sure, but I think they did.

Fry: I thought the interesting one was the Argonaut that changed. It supported Shattuck in the primary and they came to feel that Shattuck was a rubber stamp for the L.A. Times so they came out in October to support you and then Harry Lerner apparently picked this up because--

Brown: Lerner was very alert and did a very good job for me. He was excellent.

- Fry: What about your billboards? I found a classic memo of advice to you from Mort Donahue.
- Brown: That must have been in '46.
- Fry: This was 1950. Well, what he advised you was, was he southern California?
- Brown: He was all over. He was a San Franciscan but he came down to help me in the campaign. He's the one where we found the wire recording. I told you about that didn't I?
- Fry: In '46?
- Brown: Yes. He's the one that had an office in the Biltmore Hotel and he was supposed to be sleeping with Bob Kenny's secretary.
- Fry: We're going to have to really expurgate this to keep us from being sued with libel suits. Anyway, in this case--
- Brown: The truth is always a defense.
- Fry: Donahue said that you should save those more formal, quiet billboards of yours for the valley in northern California. Then in the Los Angeles area what you needed were billboards that he inferred would ring out more. He wanted some that said, "Curb crime" and then he wanted another group to say, "End gang rule."
- Brown: [laughs] "End gang rule"--well, that was referring to Howser, I guess.
- Fry: Yes, it sounded like he was thinking about the primary.
- Brown: As a matter of fact, one of the billboards which we paid a lot of money for, I took my glasses off and I didn't look like me at all. I think it was a painted billboard and I didn't have any glasses and they looked terrible. But we paid for them and we didn't have enough money to change them.
- Fry: Billboards are one thing it's really hard for historians to find out about because they disappear without any record after the campaign and I wondered if you could remember what they said?
- Brown: God, I can't remember what we had on the billboards. I can't remember at all.
- Fry: Did you make much change in your staff and your campaign leaders from the primary to the general? I've got the list of people here who were in your general election that you announced. Ed Hills--

Brown: Ed Hills, he was my old closest friend. By the way, we don't talk now at all. Isn't that funny? It's one of those things where he wouldn't support Jerry, so I got angry with him. But one other thing that happened, I had somebody in the '46 campaign, a southern California PR guy and right at the end of the campaign against Howser he quit me and came out for Howser, gave some reason that I was vacillating or something. I can't remember what his name was.

Fry: He was in charge of publicity for southern California.

Brown: Yes, he was a paid guy and he quit me and went over to work for Howser.

Fry: You never did find out exactly why?

Brown: I can't remember now. There was some fictitious reason. He got more money. That was the reason he did it.

Fry: That's what I mean; the real reason was more money.

Brown: Right.

Fry: Did Howser make a lot out of this in his campaigning?

Brown: Oh, yes, made a great deal out of it, picked it up and, of course, the Times would pick those things up and use them too. Frank Mackin has got an awful lot of this business.

Fry: He tells me he really needs to get out to his garage and get the papers first, and I agreed he should. So one of these days down here we'll get together. He says he has quite a few boxes of papers.

Brown: And he has nothing else to do. He's a retired judge.

Fry: But he is busy. He's traveling a lot. I found Ed Hills' name scattered through the primary campaign but not so much in the general election. You had all those judges for honorary chairman and so forth, retired judges like John W. Preston who was former associate justice of the supreme court. Isaac Pacht was a co-chairman in Los Angeles who was a former superior court judge at that point. Peter J. Shields was a retired judge in Sacramento and he was the co-chairman in northern California.

Brown: Yes, those were all very strong supporters of mine.

Fry: Their names, I imagine, would help in giving you credibility.

Brown: They did. They helped. They gave me prestige. Attorney general, of course, is primarily a civil office. The prosecuting job is done by the district attorney; although, even today, they exaggerate the value of the law enforcement phases of the attorney general's office when really the important thing is to have a good lawyer in there who can make judgment on these opinions and what cases should be prosecuted.

By the way, we had a major crisis that's never come to the fore. There was a judge, Dick Hanson, who was going to run. I guess that was in the '54 campaign for attorney general. There was a Dick Hanson and one of my strong supporters went to Dick Hanson and urged him to get out of it, telling him he couldn't win and he said he'd get out of it if we would pay the money he had expended for campaign expenditures. Moore agreed to do it; he agreed to pay it and didn't tell me anything about it. Ed Hills found out about it and he threatened to expose the whole thing; and if he had done it, it would have hurt me terribly. But it never came out.

Fry: Who was that?

Brown: Prentice Moore who was a lawyer in Los Angeles and one of my close friends. He claimed he never did it. Whether it was ever done or not I have no knowledge. But nevertheless, that caused a rift between Moore and Hills who put his nose into the thing. He was trying to protect me from it. I had no knowledge of it, knew nothing about it at all.

Fry: There was also another fellow, his first name was Bob, in southern California that Hills was very disgusted with and wrote a couple of letters to. He just obviously felt that they weren't really getting your act together down there.

Brown: Ed Hills didn't trust the Democratic people down here. Bob--who was the guy? I can't remember who it was. He was always writing long letters, Hills.

Fry: Yes, which is marvelous for the papers, of course. Among other things, he felt that they weren't getting their finance committee organized.

Brown: He didn't think they were very loyal either.

Fry: I'll have to fill that in, I guess.

Brown: Yes, I don't remember his name. There was a fellow named Ed Cook. And Bill O'Conner and Frank Mackin and Prentice Moore. These were my real leaders in southern California. Ed Cook died. There were

Brown: a few others. There was a Bob but I can't remember what Bob there was. It was a tough job campaigning in the fifties without a great deal of money, and particularly tough in '46. But I didn't mind it in either one of the campaigns. I rather enjoyed it.

Fry: And television coming on too.

Brown: Television coming on. I used radio a great deal, little radio stations.

Fry: Spot announcements, right?

Brown: Spot announcements came out, but we also had little interviews. Every time I went into a town I'd find out where the radio station is and get on the news program and have a short interview. They're always happy to have you. I found that to be very effective. Some of the papers like the Redding Searchlight and then the group of the Scripps papers (there's a series of Scripps papers, one in Ventura, one in San Luis Obispo, one in Watsonville, one in Redding) they all came out for me all over the state, which was a big help too. It wasn't in big populated areas but it gave me breadth of support throughout the state.

Fry: You had a statewide tour right at the end of the general election campaign and it was kind of interesting that by that time Harry Lerner could write to Anita Curry who was a kind of executive in your office in northern California and (this is October 14) reminded her that Don Boscoe--I don't know who he was.

Brown: He's a Stockton lawyer and one of my closest friends.

Fry: He cautioned that "we must be very careful not to put Pat into any communities either immediately in advance of or immediately after the appearances of either Roosevelt or Helen Gahagan Douglas. This would be a bad mistake and would definitely hurt us." Lerner says, "I assured him we would be careful" and he goes ahead and tells her how to find out the schedules of Roosevelt and Douglas so you could avoid them.

Brown: That was probably true. It would have been bad because both of them went down to defeat, one to Nixon and one to Earl Warren. Warren won by over a million votes. He brought in the whole ticket with him. If he had supported Shattuck, I couldn't have won.

Fry: This was October 14.

Brown: That's two weeks before the end of the campaign and they were obviously losing. He didn't want me tied up with losers. I wanted to get kind of a nonpartisan image in the state. The attorney general was a law office and not a partisan position of any kind.

Staff and Strategies

- Fry: I've got some names here that you announced as chairman of your Republicans for Pat Brown committee on October 10. Hugh M. McKevitt of San Francisco--
- Brown: Yes, he was the head of the Masonic order up there, the former head of the Shrine, a big Republican.
- Fry: Henry G. Bodkin in Los Angeles.
- Brown: Henry Bodkin was a brilliant lawyer, supported me, hated Howser. He and I got along very well in the campaign but he later turned against me in the campaign for governor. I never could get him back. He was an abrasive Irishman but a great lawyer.
- Fry: Then Frank Mackin and Bert Levit who were always your supporters. And Louis D. Brown and Vaughn Gardner. Those I think are southern California.
- Brown: Yes, Louis Brown was a friend of mine from northern California. He was a grammar school friend of mine. He moved to Los Angeles, practicing law down there, and he was a Republican.
- Fry: I didn't recognize anybody from Orange County, however.
- Brown: I don't think I had anybody from Orange County. But Orange County didn't amount to a great deal.

The thrust of the campaign in the fifties was you would get in an automobile and you would travel throughout the state and you'd stop at the newspaper, walk through the courthouse, shake hands with everybody in the courthouse, then make a speech to the Democratic party, and then keep on going. As a matter of fact, I used to tell a story. I called it the sheriff's story. It goes something like this.

Right after I had been elected district attorney, I had very little criminal experience or anything like that. So I decided what I'd do, I'd go and visit chiefs of police, district attorneys and sheriffs throughout the state and talk to them about the good things in prosecuting office. This was right after I was elected district attorney in '43. So the very first place I went, I went to see the sheriff in Kern County.

- Fry: You told me that story last time, I think, where you made your boo-boo. [laughs]

Brown: Yes, wasn't that funny? It was a good story.

Fry: Then you would tell that story on yourself.

Brown: I'd tell it all the time and I'd end up the story by, "There's no substitute for experience." I'll never forget, Dan DelCarlo was traveling with me in the campaign. He said, "Let's hurry. Let's get up to Redding." I said, "Why? What do we have to hurry for?" He said, "I can't wait to hear that story again!" [laughs] Because I'd tell the same story every place I'd go. It was really funny.

Fry: How did Shattuck campaign? I'm curious.

Brown: He campaigned by himself. He wasn't quite sure he wanted to get tied up with Nixon because the Democrats had a plurality and he wasn't quite sure. So we all ran individual campaigns that time. Helen Gahagan Douglas and Jimmy Roosevelt, of course, were the head of the ticket. Roosevelt made great speeches. He was a spellbinder and personally very attractive, a big tall handsome fellow. But his campaign was stupid and I stayed as far away from it as I could. He never really forgave me for it. We became friendly later on, but he's been kind of a turncoat, like he supported Nixon. Remember that?

Fry: Yes, in '72.

Brown: His father would have turned over in his grave, to do it against McGovern. But that's the kind of guy he was. He had kind of a bad reputation cheating on his wife. His wife sued him for divorce and attached to the complaint the admission that he had had affairs with six married women. Did I tell you about that?

Fry: No, but that is in the press. I think that was a little bit after the 1950 campaign when that blew.

Brown: Yes, it was but the effect of that upon me, they didn't have to do that and I thought of those poor wives that were blasted by this lawyer who did it only for publicity. Most of the press didn't use it at all, but after that it always annoyed me to think that lawyer would make these vicious charges against their wife or vice versa, the husband against the wife.

So I always wanted to get through a no-fault divorce so in '66 we formed a commission on family law and they came up with the present no-fault divorce in California. So now you no longer see cases where the wife charges the husband with adultery or extreme cruelty or all that sort of thing. I think a petition for a dissolution of marriage is a much better thing. But that goes back to Jimmy Roosevelt and the lawyer for his wife using that for publicity purposes.

- Fry: Did the extracurricular activities of Roosevelt and the Communist charges against--
- Brown: Bob Condon, yes. He was a congressman.
- Fry: Both of those things happened about the same time and I wondered if this had any spin-off on other Democratic candidates like yourself?
- Brown: Well, I got elected. I can't tell whether I would have done better. Condon was defeated for Congress though. He was defeated by a Republican in a very Democratic district because apparently he had been a member of the Communist party.
- Fry: In this fight against Communist subversion, I just wondered in 1950 if you were feeling like you were having a tough time establishing your credibility as not a red because on October 4 you announced that Emmett Daley, a former FBI man, was becoming your "anti-sabotage and anti-subversion" program head in your district attorney's office.
- Brown: [laughs] Probably. I don't remember that but Emmet was a deputy in the DA's office as kind of a crime-prevention guy in the office. He never tried a case in his life I don't think. He had been in the FBI and then he became a singer. He studied under John McCormick. So unquestionably, now that I recognize it, that was a device to thwart the charges of Communism because they were throwing that. They were red-baiting all the Democratic party going all the way back to the Sinclair days, all up through the '62 campaign for governor. It was used all the time.
- Fry: Anything they could find on you.
- Brown: Right.
- Fry: Who was Mark Megladdery? He had a lot of ideas for you from time to time.
- Brown: Mark had been Frank Merriam's secretary and he was sent to jail by Warren for selling pardons and he served a term in the penitentiary and after he got out and was restored to practice, he was a Republican --no, he must have been a Democrat.
- Fry: No, he might have been because he seemed to be trying to pull strings to get Howser to come out for Shattuck in order to damage Shattuck in the general election.
- Brown: Well, Warren went after him. But it seems to me that would have been in '38. That goes back. He was in my law school in the San Francisco College of Law, a year or two behind me. I knew him but not well.

Fry: Did he have an official position?

Brown: No, he was just mad at the Republicans because they put him in jail and he was a classmate of mine so he was just trying to help. I didn't want anything to do with an ex-con so he never got into my campaign publicly, but I can remember him coming in to see me and talking to me about strategy and things.

Fry: Yes, one of his strategems was--on September 14 he said, "You should start the ball rolling for someone or several persons as candidates to succeed you as DA because then they would start thinking in terms of being your successor and they'll automatically want your success in the November elections." [chuckles]

Brown: Good idea.

Fry: Well, I wondered if that isn't something that a lot of people do when they're running for high office.

Brown: Sure. Get them all in there, let them all think they're going to be district attorney.

Fry: It sounds like a pretty logical thing. His other idea was to get Howser to come out for Shattuck. Now, Anita felt that this was a very dangerous thing because he wanted them to have a cartoon in southern California papers depicting Howser holding his nose while saying to Shattuck, "I'm for you, Ed." I don't know why Anita Curry felt this was dangerous but it may have been because--

Brown: I don't know how we could have gotten the cartoon anyway.

Fry: I don't know. That's why I was wondering if he wasn't a Republican and had some in with the papers.

Shattuck's Charges

Fry: On Shattuck's charges against you, one of the things that he brought up were some things that a couple of cases that you already told us about--one was the de John case--and Shattuck asked, "What was your reason for taking it upon yourself to release unpunished three known gangsters charged with murder at the very moment when the jury was considering its verdict? Why didn't you consult the homicide officers? If you believe Mrs. Venza was committing perjury, why had you not prosecuted her?"

Brown: The reason we didn't prosecute her was that you couldn't prove really what the truth was. In perjury you've got to prove not only that she told a lie. You've got to prove the truth.

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Fry: The one he said was indicted in your county and prosecuted in your office, willing to plead guilty to second degree murder but he went free and entirely unpunished and he asked you why.

Brown: We just lost the case. That's the guy that killed his mother-in-law, I think. He shot her. God, it was really a horrible case to lose because George Davis claimed she grabbed the gun and the bullet went right through her eyes. I can't remember who prosecuted it, but it was really one we shouldn't have lost. It was terrible. But Davis was a clever defense lawyer. What else did he ask?

Fry: He asked about your defense of Harry Bridges. He brought up the fact that you were vice president of the National Lawyers' Guild which was cited in the 1949 Un-American Activities Committee Report. What is this, Pat? He said, "Were you not a member of the Salute to Young American Committee which urged support of the program of American Youth for Democracy which had been cited by the Un-American Activities Committee in 1943?" [laughs] Did you follow that?

Brown: I may have supported it. I have no recollection of it. I don't know what the hell it was.

Fry: It's one of those chain reactions.

Brown: Yes, Salute to Young Americans, I don't know what it was. I don't remember but I may have sent a letter or a telegram of support or something.

Fry: Salute to Young America might have been all right except that it urged support of this other program which in turn had been cited by the committee so it's a long guilt-by-association chain. He said that you had sponsored a dinner given by the National Citizen's Political Action Committee of Northern California for Henry Wallace in 1946 and Harry Bridges sponsored it too [chuckles] and was this true Mr. Brown?

Brown: I probably did. Henry Wallace, I remember Wallace. Let's see, that's 1944 when they dumped Wallace and put in Harry Truman and Wallace came out.

Fry: Then in '48 he decided to run. So this was his neutral period.

Brown: Yes, but I never supported Wallace after '44. I may have been part of a dinner for him or something.

Fry: Well, this is the National Citizen's Political Action Committee.

Brown: Yes, they were supposed to be a left-wing group.

Fry: The final key note seemed to be (and I wondered if this is the way you remember his main theme) that world communism had attacked in Korea in June of that year and this is certainly no time to gamble with the internal security of our state and nation.

Brown: By electing me attorney general! [laughs] Well, the people didn't buy it anyway. The just didn't believe that I was a communist. But you can see his whole campaign was anti-communist to everything.

Fry: Was this red-baiting as Nixon's campaign with Helen Gahagan Douglas?

Brown: Just about the same. He repeated the same damn thing. He went after her more, tying her up with that Marcantonio or whatever his name was, the congressman--

Fry: Oh, Marcantonio.

Brown: Shattuck said he took Marcantonio's voting record, who was an extreme left-winger, and took Helen Gahagan Douglas's and showed they voted the same on forty-six different issues.* She had to defend against that by showing that fifty other congressmen did exactly the same. He voted against them on all the important ones, but that was part of his red-baiting. They put it out on a pink piece of paper too.

Fry: The question that I thought might have been the most difficult for you to answer was when he kept saying, "What is your political philosophy? Aren't you now trying to repudiate your running mates, Roosevelt and Helen Gahagan Douglas, on the grounds that they are too far left for you?" This seemed to really present a dilemma for you.

Brown: It did.

Fry: Did you ever answer it directly?

*Copy in The Bancroft Library. See supporting documents for Richard M. Nixon in the Warren Era, Earl Warren Era Oral History Project, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1980.

Brown: I can't remember whether I did or not. I probably said, "I'm supporting Roosevelt and Helen Gahagan Douglas" and I would always say that. But I would never vehemently do it. When I'd speak, I'd speak just for myself.

Fry: And you took pains not to appear with them on platforms?

Brown: Well, I had to appear sometimes. There were some occasions. But I did it as little as I possibly could, that's true. I did appear with Helen Gahagan Douglas and once or twice with Roosevelt, but not very much. They didn't care because they didn't think I could help them anyway.

Mexican-American Votes

Fry: In the minorities there was a letter from Mexican-American minorities and I thought maybe this had played some role in this campaign. It was from a woman called Catalina Estrada.

Brown: I don't remember her.

Fry: She had an organization called the Blue Cross which was an organization to aid Mexicans in California in things like going before the district attorney's office for health and a lot of things. It was the equivalent to the American Red Cross only much broader. She said it had fifty to sixty thousand members and that because of the change of the immigration laws that now there were a lot more Mexicans getting their citizenship and they had a big campaign on to get them to register to vote. It sounded like it might have been kind of a transition period where Mexican-American votes would become more important.

Brown: I think the Mexican-Americans had never been a very potent force. There were not too many in Los Angeles and a great many of them didn't vote. They were just beginning to feel their political muscle back in '50. But I can't remember any strong association with the Mexicans in those days, I spent much more time in the black district than I did in the Mexican district although I did spend some time there.

We had a Spanish-American on the ticket, a smart lawyer, a very smart lawyer, running for secretary of state. Was he running for secretary of state? No, he was a city councilman who was running for Congress. He did run for lieutenant governor in 1954. That was Ed Roybal. He and I became close, personal friends during that campaign and we have remained friends ever since, very close friends.

1952 Favorite-Son Candidacy

Fry: Let's go on to 1952. In 1952 Pat Brown is head of an anti-Kefauver delegation. Is that the way you would describe it?

Brown: Well, it wasn't an anti-Kefauver delegation. It's just that we didn't want to turn the California delegation over to Kefauver because we didn't know whether he'd get it or not and we didn't want him to control the California delegation.

As a matter of fact, that's a very interesting episode that should be recorded. I was over in Hawaii. I don't know whether I was attending an attorney general's convention or what I was doing. But I was over in Hawaii and I got a call that Truman had just pulled out (this was early in March) of the presidential race. He had made a speech and said he was not running. He'd been defeated or almost defeated in New Hampshire for re-election. This was the time of some of the minor scandals about General Vaughn and some other people taking an expensive coat, things like that. So they called me up and they said, "Truman has just pulled out. The only way in God's green earth we can get a ticket or Kefauver will get in unopposed is if you will agree to head the delegation." I was the only statewide, elected Democrat in the state at that time. You had two Republican United States Senators and whole ticket was Republican. There was no one else in the state. So I thought to myself, certainly, I'll do it. So I ran.

We put together the ticket and I became the head of the delegation and I debated Kefauver three or four times throughout the state. I can't remember where I debated him but I debated him. I was on television. But that was a very different campaign because I had to deny that I was an actual candidate by saying that I was a favorite-son candidate. People don't want to turn the delegation, give a blank check for the delegation to support anybody they wanted.

I faced that again in '60 with Kennedy. I was general chairman of the delegation. We put together a ticket of people representing all candidates. This had to be done in early March. They used to ask me, "Who are you for?" and I'd say, "I have people for Kennedy and Johnson and Stevenson and Symington and Humphrey. They were all on the ticket. We had all kinds of delegates. But I was an out and out favorite son and admitted it. My argument in that campaign was merely that we had a very representative delegation. [looks at delegate list] As you can see, I just looked at this group here, it was really a great delegation in '52. They had people from all over the state. But we lost very badly. As I look at these people, it was a great delegation though.

Fry: Yes, it seemed to be all the well-known Democrats.

Brown: It was, but it didn't do him any good. Kefauver had a group of ragtails with him, if you'll pardon me for saying it. He had some good people. He had state senator Miller and two or three others.

I went back to the convention but I didn't even have a seat in the delegation because here I went as the only Democrat supporting Adlai Stevenson in '52. I supported him all the way through, as a matter of fact. But he had never said that he was going to run at the time in March that we had to select the delegation. As a matter of fact, he had stated that he would not be a candidate and he wouldn't be drafted and then he changed his mind at the convention.

Fry: Could you have put him at the head of your ticket if he had agreed to run?

Brown: We probably could have if he had gotten into the primaries, but he didn't get into any primaries. Instead of me, we could have made him the candidate to whom we were nominally pledged. As I remember it in those days, you would be pledged to a candidate but it was not a binding pledge. You could change. You were honor-bound really to vote for him on the first ballot but after that you could change. It was a discretionary thing, although a moral obligation. People voted for you--like the Kefauver delegation. They agreed really to support him only on the first ballot. I don't think that was in the statute, but it was done by custom and practice.

Fry: The same thing was going on between Warren and Nixon in the Republican delegation that year too, the business of would they vote for Warren on the first ballot and he was a favorite. He was a real candidate though.

Brown: Oh, yes, and he held them too.

Fry: The end result of the primary was that Kefauver got 1,150,000 votes and you got 486,000 votes.

Brown: That was the worst defeat I ever took in my life.

Kefauver Candidacy; Truman Withdrawal

Fry: There are two things that I don't understand that need to be just kind of tied together. One is, how did that Kefauver delegation ever get set up and started here if you were taking over the one that would have been Truman's?

Brown: Kefauver was running against Truman. In '52 he was an actual candidate. He was in other states, too, so he came out here and set up his own delegation. They were running against the Truman delegation which Bill Malone and the Democratic leadership were putting together. Then when Truman pulled out of it, the leadership of the party was left high and dry with these people that held no position in the party, that had not participated, and the congressmen couldn't even go to the Democratic convention. The one that would have held the delegation and owned it was Estes Kefauver of Tennessee.

Fry: They couldn't go to the Democratic national convention?

Brown: It was in Chicago. All the leadership of the Democratic party was excluded in '52 by reason of Kefauver winning.

Fry: This Kefauver delegation had been organized before Truman--

Brown: Oh, yes, they were probably organized in February.

Fry: So my question is, what was the distinction between "those guys" and "you guys?"

Brown: I would say that Kefauver was appealing to the more liberal group in the Democratic party in '52.

Fry: As symbolized by George Miller [Jr.] and headed by George Miller.

Brown: As symbolized by George Miller and headed by George Miller. If I could see the delegation, I could point out a group of the extreme liberals. There were some good people on the delegation too, but here they were opposing the incumbent candidate for the presidency. But you've got to understand that Truman was at an all-time low on the polls. He had really, really lost tremendous support going into '52.

Fry: The fur coat episode and all of that?

Brown: The fur coat, I think that was the Eisenhower thing afterwards.

Fry: I don't know. There was something about--

Brown: Then his secretaries, a fellow named Matt Connelly went to prison for accepting something which was really a terrible tragedy.

Fry: The Korean war was still going on.

Brown: The Korean war was going on, very unsatisfactory and Eisenhower said, "I'll go to--" Well, that was later in the campaign after Eisenhower, the popular general, was nominated. But Truman was

Brown: very low and Kefauver had already been campaigning. He campaigned in New Hampshire and had either beaten him or pretty nearly beaten Truman. It was very close and that's the reason Truman got out of it. Truman was a student of history and he didn't want to be the only Democratic president or one of the few Democratic presidents that's been denied the nomination of his own party.

Fry: Who really talked you into heading that delegation?

Brown: Bill Malone.

Fry: I had a note it was Pierre Salinger.

Brown: No, Bill Malone called me up. I don't think Pierre was too active in the Democratic party at that time. He was a reporter for the Chronicle. Bill Malone was the real political boss in northern California and a very good one too. He was honest as the day is long and able and loyal and selected good--well, he didn't select very good people for the assembly seats and things like that. San Francisco had a very weak delegation. But he had been chairman of the Democratic party in San Francisco for a long, long time and he was at one time chairman of the northern California Democratic party. But any rate, he nominated the party and he was good too.

Problems with the California Delegation

Fry: There seemed to be a lot of difficulty in getting a delegation together. I have two questions. Was it primarily a southern California effort?

Brown: No, it was a statewide effort. You look at our delegation. We had people from every part. We had congressmen, all the financial people, we had the Democratic leadership with the exception of Miller. We had Sam Yorty, who was a congressman. It was really a good ticket and we had people that were leaders in business and newspapers and everything else.

Fry: I mean in the first birth of it. Roland Davis was the temporary chairman of the delegation, and I guess this is Los Angeles--

Brown: No, no, he's Palo Alto, a San Francisco lawyer and a good lawyer and a hell of a nice guy. A wonderful fellow, very able.

Fry: He wrote a letter in May that recalled how early in February a committee of California congressmen with Harry Shepherd as chairman, met in Los Angeles and other people were there too,

- Fry: like James Roosevelt and Ellie Heller and Glenn Anderson and others, and each member offered three names for a big delegate list from whom they could then choose delegates. Maybe this was when you were in Hawaii. Were you there?
- Brown: No, I was only there for a week or so. I was probably there at the convention too.
- Fry: It seemed to be kind of a rump meeting to help get the delegates under way, to select them.
- Brown: Yes, for Truman.
- Fry: For Truman, right.
- Brown: Like Johnson in '54. He didn't permit his name to be on the ballot and I ran on that in '64 too for president.
- Fry: Was Don Bradley helping in this?
- Brown: Yes, Don was in all those campaigns.
- Fry: Is this unusual? There were some names put in, some people who agreed to have their names put in just to qualify the delegation by the deadline even though they knew--
- Brown: We had to have a delegate in every district, yes.
- Fry: Even though they knew they probably couldn't be a member of the delegation or didn't want to. Did I send you a copy of Fred Trott's telegram?
- Brown: Yes.
- Fry: Let me quote that and then you can talk about it. He says (and I guess he was still chairman at the time)--
- Brown: Vice chairman of northern California.
- Fry: Yes. He says: "I could leave my name to save the petition for the new delegation but I could withdraw by failing to turn in my affidavit." Then he says, "The Brown delegation is a subterfuge to keep Malone a power in state politics. After careful reflection I have decided to have you discount me out." He said that he wouldn't lift a finger to disqualify it but if the delegation can qualify, okay. He said, "If the delegation doesn't qualify, Pat, it will be the best thing that ever happened to you politically."

Brown: He probably knew that I would be literally trounced, as I was. It was really a very, very, very bad defeat by Kefauver. Trott, he was an inexperienced boy. I don't know why we put him in there. I can't remember who put him in or what the fight was. He was probably a compromise candidate. I don't remember that at all.

Fry: That was two years before when he got in.

Brown: Fred Trott from Fresno. We never heard of him before, never heard of him later, I don't think. He just died politically.

Fry: Did this have anything to do with the liberal and middle-of-the-road split in the Democrats?

Brown: It's hard to say. When you look at that delegation, it was a pretty good cross-section. We had people on it that were pretty liberal. Although this is a pretty conservative group.

Fry: Yorty also said he would prefer not to be involved in it, but you could use his name for legal purposes.

Brown: Yorty was a maverick then and now. But Helen Douglas was on our ticket. She was a real liberal. Tom Lopez from Fresno--no, he was a conservative; a good lawyer. Ed Roybal, Mexican. The rest of them were pretty middle-of-the-road. Ike Hawkins, he was an old guy.

Fry: In the minutes of the meeting on April 19, they moved and voted that the unit rule wouldn't be used. Was that much of a struggle? Sometimes that's a real struggle in delegations.

Brown: We wanted to be a real uninstructed delegation and if it were a real uninstructed delegation, the unit rule would not apply.

Fry: At that meeting you set up a northern California campaign committee. If you want to look at this you can. See if any of those names are anybody that you want to comment on.

Brown: [examines paper] I think you sent this to me.

Primary Campaign Funding

Fry: Yes. It seemed like the committees that you set up might have had a hard time raising money.

Brown: Oh, yes, we didn't have very much money. I think the delegates all put \$100 in but this was another one of those campaigns like the '46 campaign for attorney general. It was [where] we were all kind of

- Brown: low in spirit. We didn't think we could win because we didn't have a candidate for the presidency. I was the favorite son. We had to spend all our time explaining what a favorite-son candidate was. The young attorney general was not really a candidate. [chuckles] I can remember debating and enjoying it very much.
- Fry: Debating who?
- Brown: Kefauver in San Mateo County. He laughed. He thought it was funny. Both of us did. But you get into a campaign and you know you're a goner, it's not very pleasant. You know you're going to lose.
- Fry: A columnist later on--Dan Green--was he L.A. Times?
- Brown: No, he wrote for some little newspaper down there. It didn't amount to a hell of a lot, but he was read by all the Democrats.
- Fry: He said that you spent over a half a million dollars with fancy mailings and all that sort of thing and Roland Davis replied to this and said that really in northern California you had spent under \$8,000 and he doubted that much more than that had been spent in southern California. There were no statewide mailings. There had been no newspaper ads and it was mainly radio and television spots. How come there weren't any newspaper ads?
- Brown: We didn't have any money.
- Fry: You did take out a lot of loans. I ran across some papers on the loans that you had to take out--Bank of America for \$3,600 and then a promissory note for \$10,000.
- Brown: Ed Heller probably. I think we all signed the note. We all signed the note and we all had to cough up after the campaign was over with. Although Ed Heller was really an angel to the party in those days: Elinor Heller's husband. She was always the delegate but he was the financial guy. She was the real leader in the party. But she's practically dropped out of it now. You never see her any more. A brilliant woman too; I put her on the board of regents and she's always been a good regent too.
- Fry: Was he always a firm supporter of yours or does he have any--?
- Brown: I saw her at the Berkeley Fellows the other night. I came up for the Berkeley Fellows dinner and she was there. I didn't think she was very friendly. As a matter of fact, I came back and I told Bernice, I said, "I don't know why. Ellie Heller, she seems rather diffident." There's no warmth in her greetings or anything like that. I don't expect her to embrace me or anything but I thought it was kind of cold; I mean sufficiently so that I would tell Bernice when I got back.

- Fry: But all the times that you were running for campaigns, she was very supportive of you?
- Brown: Oh, yes, the Hellers were mainline supporters of mine from the beginning until the end through the Reagan campaign, big contributors. Ed Heller died of cancer. I can't remember when he died but he died many years ago [1961]. She's been a widow ever since. They have two boys and a girl, nice kids. I think one of them got married. The girl got married too later on. She was always at the conventions, but never went steady with anybody in those days.
- Fry: You had a big plan to encourage the Democratic national possibilities of candidates for the presidency to come to California and speak.
- Brown: Yes. I don't think they ever did though.
- Fry: Yes, some of them.
- Brown: We wanted to create--
- Fry: Stevenson came.
- Brown: Did he?
- Fry: Yes, he was here May 6 and was still saying that he didn't want a draft.
- Brown: He was trying to make up his mind. [Brown puts out cigar in swimming pool water; noise of sliding patio doors] I get up so early in the morning that around 4:00 I just phase out.
- Fry: Yes, that's a good argument for the British tea break, isn't it?
- Brown: Or a siesta.
- Fry: Or in your case maybe a little run around the swimming pool?
- Brown: Or a little swim. I swim every morning.

Anti-Kefauver Strategy

- Fry: I just have one more question to ask you on the '52 campaign. Did you make any conscious decision about the anti-Kefauver strategy? It looked like there was an attack on Kefauver planned to begin thirty days before the election. I don't know whether this was Bradley or who planned this.

Brown: Probably Harry Lerner. He was always the attacker!

Fry: There was some research done on Kefauver's voting record. They found that he had been for the "Arizona water steal," that he was against FEPC, and he had been for racial segregation in the armed forces. Then later in your press releases it was pointed out that he would rob California of two million acre feet of Colorado River water. Now was this a main thrust of the campaigning?

Brown: Yes, that was it. Right, we were showing that he was anti-Californian and we felt that we had to attack him. We were really dead in the water. We weren't going any place. I didn't campaign. I didn't make any trips or anything like that. But my theory in politics in those days was always get your name before the public as much as possible and try to maintain a good image and be a good human being. But I never thought I'd win that campaign and I didn't campaign. I don't think I ever went south. I permitted my name to be used and that was about it. But we didn't get any support from anybody.

Fry: Did you campaign any then for Adlai after he was nominated at the convention?

Brown: Oh, yes, I campaigned all over for him. I was for Adlai from the very beginning. I came back to California; I must have been his chairman. I think I was California chairman for Adlai Stevenson. I was a very close friend of his and an admirer. He's one of the great Americans that I have met in my opinion and I loved him. But in '60 I left him because after he got beat in '52 and '56, I thought he just lacks some quality of getting elected. You can be brilliant, you can have all those qualities, but you've got to have electability, too, which is another factor. I think Reagan's a boob, but he's electable. He's a guy that makes a good impression on people. They like him. He's able to soften that hard image he has. To me he's got a mean glint in his eye that I never really trusted. [tape interruption: telephone]

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Fry: I'd like for you to tell me who Anita Curry was because there's a lot of things signed by her.

Brown: Anita was kind of the executive secretary of my campaign. I think she'd worked for me for district attorney in my re-election campaign. She worked another campaign. She was kind of a campaign person. A smart little woman. I think she was a widow or divorced, I can't remember which, but a very nice woman. Not a particularly attractive woman in the sense of being a secretary to a congressman or anything. She got it on hard work and ability and good, sound judgment in political campaigns. But she passed out of it after I got into the

Brown: campaign for governor. I don't think she was in any of my governor campaigns, but in the attorney general's campaign she was very active. She was a pro in the campaign organizations, that's what she was.

Fry: Was this her career?

Brown: This was her business and career. That's right, that's all she did. She worked for me in campaigns, worked in the Democratic party. But I think she was closer to me or closer to my group. She worked for Don Bradley. But she wasn't particularly close to the Malone organization. I had kind of my own organization. I don't know whether she's still alive or not. She must be. She's probably fifteen years younger than I.

Fry: Oh, really? It would be interesting to talk to her about this.

Brown: Yes. I don't know where she is. So many of these people have died, like George McLaughlin. Frank Mackin would probably remember her. Don Bradley would remember her too. Don would know where she is and so would Harry Lerner probably. I want to call Harry Lerner as a result of this. I was down in Palm Springs.

Fry: We would very much like to talk with him.

Brown: Good. Oh, yes, he's a key to a lot of these things. He's a journalist. He worked for the Chronicle. He was kind of an investigative reporter. He was around San Francisco. He knew all the bad spots and everything else.

Fry: Anita Curry's memos sound terribly knowledgeable.

Brown: Yes, she was very good, really very good. We paid her. She was a paid employee, not a volunteer or anything.

Fry: The last thing on the '52 campaign, I wonder if you were ever tempted to use something stronger against Kefauver? Pauley wanted you to use Raymond Moley's April 29 article from the L.A. Times and give that wide circulation. That was the article in which he depicted Kefauver as a dangerous radical and as the "candidate of planners, welfare staters, one worlders, and bleeding hearts." That's a quotation, and he equated him with Henry Wallace. Were you able to use this at all?

Brown: No, we didn't use it at all because we didn't think much of Raymond Moley in those days. He was one of Roosevelt's brain trusters and then as he grew older became conservative so we didn't use him at all. We made a very pro forma campaign against Kefauver. We didn't have very much money and the favorite son was a difficult thing as I said before to explain. So that was it.

Political Organization and Reward

Fry: Was Ed Pauley, I gather, not in the Roosevelt and Helen Gahagan Douglas campaign?

Brown: He was definitely anti-Jimmy Roosevelt and anti-Helen Gahagan Douglas. Pauley was part of the Truman conservative-Democratic wing. Rich oil man. Really not a friend of the Democrats but by sheer accident; he was really a very conservative fellow. He was always a good friend of mine but he hated Jimmy Roosevelt with a passion and hated anybody that opposed Harry Truman. He was very close to Harry Truman. He loved Harry Truman. But he was not a Democrat in the full sense of the word.

Fry: Did he stick with you?

Brown: He stuck with me in all the campaigns. He did. Even though Knight put him on the board of regents, he would have supported me for re-election as governor over Knight if Knight had run. He's been a close personal friend of mine, but always kind of distrusted me because I was a liberal too. They were never able to really figure me out. They didn't know whether I was a conservative or a liberal. I was against Kefauver. I was with the Democratic organization but I supported very liberal things throughout my life. But I believed in organization. I believed in the spoils system. I believed in helping people that helped you and getting rid of those that didn't help you. I'm an oldtimer as far as politics are concerned. I believe people are good despite their weaknesses. I think that political organization is necessary. I think that Dick Daley, even though he was a politician of the old stripe, that he was an expert. He was just as great in his class as Clark Kerr in education. There's particular qualities to politics that a lot of people look down upon but I think they're part of the American scene, and these people that appoint commissions for the selection of district attorneys and judges, I'm against that.

Why leave an enemy, a snake in your nest? [chuckles] Look at [Jimmy] Carter, for example. He kept a Republican on as U.S. attorney in Philadelphia when he became president and the guy went right ahead with a probe of Democratic organizations! Carter should have gotten rid of him. You can get just as good prosecutors on the Democratic side who will prosecute corruption just as much as any Republican. But the press always saw in me somewhat of a schizophrenic situation --supporting liberals but on the other hand supporting oldtime Democratic politics too or big city politics, if you can use that term.

- Fry: I didn't think that we had much of a political organization compared to Mayor Daley's in Chicago.
- Brown: There's no political organization at all in California.
- Fry: We didn't have the ongoing ward organization that Daley had.
- Brown: You haven't any in California and that is one of the reasons that parties are somewhat impotent. People vote for programs and ideals like fair employment practices or ERA, equal rights for women. The only political organization you have in California and have ever had since the days of Hiram Johnson, by reason of the abolition of crossfiling and the abolition of partisan politics in cities, are the assemblymen and senators who have a little organization of their own. But they go off on their own. They're only interested in their own campaigns. They don't help very often a statewide candidate. They may help in your first campaign--for Jerry. But now this time they'll be out campaigning for themselves. They get very selfish.
- The senate and the assembly are really the only Democratic organizations. The congressmen have their own congressional districts and their own staff and they campaign for themselves with their mailings and that. That's why even with a tremendous Democratic majority in the state, Republicans carry it. Look at Ford beating Carter here in California, and Hayakawa beating young Tunney.
- Fry: Pat, it sounds then like you believe in reward for good hard work in politics.
- Brown: You've got to have ability to because if you put in people that are incompetent, they'll get you into trouble. You've got to get able people. But you can find just as many able people in your own party if you look for them as you can in the opposite party.
- Fry: I'm not questioning that. I'm questioning where do you get your reward system in California because there's not that much--
- Brown: There's no patronage. You can get out and campaign for Jerry from now until next November and make speeches, spend your own money, and organize groups throughout the university women of the state and then you say to him, "I'd like to--," the only place he could put you would be either in his office some place as one of his executive secretaries of some kind or maybe--Social Welfare is a specialty, Public Health is a specialty. Forestry is a specialty; all the departments; Natural Resources, Water. These are the exempt appointments. The rest is all civil service.
- Fry: There are a few commission appointments.

Brown: Commissions, but they don't pay anything. The Railroad Commission. [telephone rings] That's probably Bernice. [tape interruption: telephone]

Fry: To finish up on the final point that you were talking about then, do you recommend that California develop more of a patronage system?

Brown: I would do something like they do in the black minority groups, like the Bakke case where you leave some room, maybe four percent or something like that of appointments in a particular department as non-civil service at the selection of the governor and then let them take examinations later on; because a lot of young people want to get into government, and if they have to take a civil service examination they just can't do anything. Do you think we've got enough?

Labor Endorsements in 1950

[Date of Interview: 28 March 1978]##

Fry: I want to cover just a few things in 1950 that we didn't pick up before. One was on you and labor. Both you and Earl Warren had a split endorsement from labor that year.

Brown: Did they? They endorsed Howser too?

Fry: Howser had been nice to them.

Brown: Labor rewards its friends. Corruption doesn't mean a whole lot to labor. Howser had been good to labor in criminal prosecutions when he was district attorney so they just decided that they'd endorse him too. As attorney general he had been fair in his opinions and things like that.

Fry: I found a letter that you wrote to Haggerty after the primary asking how to go about getting support from the Labor League of Political Action in the general election, and I wonder if you had asked for it.

Brown: Oh, yes, I asked for it. I worked very hard to get labor endorsement all the time. As a matter of fact, I didn't have it in the first campaign for district attorney. But I had labor endorsement every time after that--all labor; Teamsters, everybody.

Fry: Had you had some anti-labor actions in your district attorney's office?

Brown: No, no, but they rewarded their friends in '43. Matt Brady had been nice to labor, so they just gave it to him again.

Fry: I know, but in '50--

Brown: In '50 they owed it to Howser and they owed it to me. We both had been good. I had been district attorney in San Francisco and labor appreciated the gentleness in which I indicted their members for wrongdoing. Labor will really never put you on the spot. But they will come to you for a person who had gotten into trouble and ask for mercy. But they do know how far you can go and how far you can't go. I think that as district attorney I was willing to take a chance and go along with labor. They had a big battle one time between two warring waterfront unions. I think I charged them all with misdemeanors rather than felonious assault and then got all to plead guilty and be on probation and they appreciated that. There were other things too.

There was one case, however, where I look back on it. There was a judge by the name of Twain Michelson. He used to send everybody to jail for marijuana. Everybody, no matter who it was, unless they were political. He was about as phony a man as I've ever met. One of those nondrinking vegetarians, not that I have contempt for them. [chuckles] But a tough guy, walking along the street. Somebody told him the way to make political hay was to go after narcotics. Nobody was for narcotics, so he was really rough on narcotic people. But this husband and wife that were the head of one of the smaller labor unions, teamsters unions, in San Francisco was caught with marijuana. They went down and Michelson was running for superior court then and because he thought labor could help them he was going to dismiss the case and they came over and said, "We've got it all fixed with Twain Michelson." I said, "Well, you may have it fixed with them but you haven't got it fixed with me." So I went over to see Twain and I said, "Twain, I know you're running for office. If it will help you just say I'm not going to do it unless the district attorney will consent and I won't consent." So the woman finally pled guilty and the man was dismissed. She had it in her purse, so we couldn't prove it against him anyway. I think she went to jail for thirty days or sixty days, but I always felt kind of badly about that. That was over-zealous prosecution.

Fry: But in 1950 then I still don't understand why they didn't come out for you. Because there were more in southern California?

Brown: They owed us both something, that was the reason.

Fry: Well, let's see what happened. In my notes here, Haggerty then submitted your letter to the executive council and then there was a press release in the papers with no date that said, "There is a unanimous endorsement of all major California labor groups."

Brown: Yes, I got it in the general because Shattuck beat Howser in the primaries.

Responses to Richard Nixon and Jimmy Roosevelt

Fry: There was another item that we sailed past last time that I wanted to ask you about. One of our interviewees says that there was a full-page spread that came out in the Los Angeles Times by some committee that had endorsed a ticket of Earl Warren and Pat Brown. He thought it was probably done by one of Pat's committees which was smart politics but he didn't know who did it. The reason I'm asking about it is that it had an impact on the other side of the campaign because then Ed Shattuck and Nixon wanted Earl Warren to announce that there was a Warren-Shattuck ticket in the primary, which Warren wouldn't do.

Brown: That's right. Warren didn't like Shattuck. I think I told you that, that Shattuck had written a series of letters when he was back in the Army to the Republican county chairman of Los Angeles where he called Warren not bad names but didn't appreciate his greatness, let me put it that way.

Fry: Yes, I think we covered that. So this was a part of that. But did you have a Republicans for Pat Brown Committee or--

Brown: Oh, yes, I had a Republican--

Fry: I mean who would have put in the--

Brown: Well, the ad was really put in by our little closed committee. As a matter of fact, we had somebody approach Warren. I can't remember who it was but we had some of Warren's close friends around. We told him we were going to run this ad if he wouldn't repudiate it. He told whoever it was (and I can't remember now who it was) that "I won't repudiate it." So we ran these great big ads. We got the money from Norton Simon. Didn't I tell you about getting the \$10,000 from Norton Simon? But we ran those great big ads and it not only created a furor in the Republican party where Nixon and Shattuck wanted Warren's endorsement, but it also created havoc with Helen Gahagan Douglas who was running for United States Senator and Jimmy Roosevelt who was running for governor. They never really forgave me for walking away from the ticket in 1950. But I didn't think Roosevelt would win, so I had no compunction about that. I never had anything to do with Nixon or Gahagan Douglas. She never paid very much attention to me.

Brown: Oh, by the way, did I tell you that there was the state conventions in Sacramento, the Democrat and Republican conventions, and I met Nixon at the Senator Hotel and somebody said, "He wants to talk with you." So we had a chat and he said, "Now, Pat, if you'll stay out of the senatorial campaign, I'll stay out of the attorney general's campaign." This was in 1950 when he was running for United States Senator and I was running for attorney general. I listened to him very closely, but I thought to myself, "You're kind of a double-crosser, Richard, from your ticket." Of course, I really was doing the same thing, in the sense that I was walking away from Roosevelt. But he made that proposition to me, that he would run his own campaign for the Senate and let me lay off it and give him whatever help I could and he would do the same thing for me and I just wouldn't have any part of it. I don't think I [gave] an emphatic "no" or say, "Don't you dare insult me, this is all wrong." But I just said, "Let's see how it works out" or some other noncommittal reply, but I had no intention of doing it.

I had forgotten about that; that's an interesting story. That was after the nominations. The state conventions then used to both meet at the same time in different chambers of the state capitol. We were all up there together, the Republicans and the Democrats. Of course, you had crossfiling then.

Fry: Did you have any other conversations with Nixon?

Brown: During that campaign I can't think of ever meeting him again. I followed the ticket around very, very closely, although as attorney general I never had an opportunity to speak very long. The governor and the United States Senator would always talk and they'd have to say a few words and secretary of state and controller. So I never talked more than ten minutes at the most.

Fry: Did you ever come out against Nixon or get involved in those issues?

Brown: I would speak for the ticket but I would speak very low key. I liked Helen Gahagan Douglas very much though. As I say, she never paid very much attention to me. I was not part of that Los Angeles liberal group from which she emerged, and I think probably she distrusted me in some respects. But she was a vigorous, attractive speaker and a great actress. I can never forget how she'd kind of throw her hair back like that when she talked. I used to think she talked too long. She would talk very long.

Jimmy Roosevelt was a great speaker but he ran a very poor campaign. He was desperate trying to find an angle, trying to find some way he could reach Warren and he couldn't touch him with a ten-foot pole.

- Fry: That reminds me, Roosevelt had a plan for evacuation or something. That was after the Korean War hit, and I wondered if you as attorney general who really would have responsibility for civil defense, came out with a plan supporting that.
- Brown: That was during the campaign. I listened to it. I could remember the plan. He was going to move them all to the country and Warren ridiculed it. I don't think I got into it at all. I just stayed away from that issue.
- Fry: It seemed like there was so much in the atmosphere of preparedness and superpatriotic Americanism that I thought maybe would have been the tack you would take.
- Brown: No, I don't think so. Jimmy Roosevelt had some very famous PR guy that was helping him. I can't remember his name but he just died.
- Fry: Roosevelt? He told us about that. [chuckles] He thinks it's pretty funny now too.
- Brown: I'll never forget Warren saying about Jimmy Roosevelt (Roosevelt was criticizing the public schools of California) I'll never forget Warren making a speech and he said, "The only time Jimmy Roosevelt's ever been in a public school is to make a speech," which was pretty good. [laughs] Warren was not a funny man, but he had a tough sense of humor.
- Fry: Yes, he had those apt, one-statement things that could just demolish an opponent's points. How did you vote for governor? Did you vote for Roosevelt or for Warren?
- Brown: I voted for Warren. Don't tell Jimmy that if you ever talk to him! I liked Jimmy but he did something to me back in '48. I had written him a letter telling him that I didn't think Truman could be re-elected. So I said I thought we ought to be for Eisenhower. I said, "There's so much talk of corruption that I think we ought to get the best man." He released that letter. He gave it to Art Sherry's wife, Mary Ellen Leary, who was then with the San Francisco News. I had to admit I had written it, but it really hurt me with Truman. Truman forgave me though. Truman, I think, liked me very much and he campaigned for me through 1962. He was always with me 100 percent. I liked Harry Truman very, very much.
- Fry: You came back aboard for Harry in the--
- Brown: Oh, yes. I not only came back aboard. I came back at the convention in '48 as one of the leaders of the Truman delegation at the convention. The people that were trying to torpedo them, I was on the side

Brown: of the Truman people. The southern California people were always mavericks. They were always against anybody that was even moderate. They liked Henry Wallace, a lot of them, although Wallace walked out on them in '48 and ran his own ticket. We had four tickets: we had Strom Thurmond, Wallace, Truman, and Dewey in that campaign.

Fry: In 1950--

Brown: In '48.

Fry: I know. I'm changing the subject. Are you through?

Brown: Oh, yes. You can change the subject any time you want. You're my little leader.

1948 Housing Initiative

Fry: All right, upward and onward to Proposition 1 in 1950 which was to repeal property taxes. Was that a hot issue then like our Jarvis-Gann initiative is now?

Brown: God, I don't even remember Proposition 1. What did it do?

Fry: It repealed property taxes.

Brown: Completely?

Fry: It repealed them; that's all I have in my research. I know that it was to repeal property taxes and the Los Angeles Times came out against it and I guess there were a lot of moves against it.

Brown: At this time I have no recollection of it at all. I remember supporting, in the '48 campaign, a housing initiative that was on the ballot. It was an initiative by the private builders where you couldn't have a public housing project without a vote of the locality, and that's still on the statute books. It's still part of our constitution and it really slowed up public housing in the state of California tremendously because you could never get a vote of a region or a city for public housing.

Fry: Did you come out against that?

Brown: I was one of the leaders against that and very strong.

Fry: Yes, you mentioned that before just in passing. Was there a well-organized campaign on your side against that or was it a one-sided thing?

Brown: It was a well-organized campaign. Langdon Post was the chairman of it.

Fry: He was the regional director of housing for the federal government or had been.

Brown: Right, that's right, and he was very active against it.

Fry: Which side had more money to fight with?

Brown: Oh, the real estate people had plenty. We didn't have any money at all in that campaign; very, very little. It was supported by most of the newspapers. It was socialized housing.

Fry: I think that pretty well wraps up 1950 for us, combined with what we got last time.

Brown: I'm just trying to think if there was anything else that occurred in '50 that would--I think that's about it. I think you've got it pretty good.

Further Recollections of the 1952 Presidential Campaign; Working for Stevenson

Fry: Here are your papers for 1952 and there is General Holdridge's letter. [tape interruption to go over papers]

Brown: Did he had a convention of his own?

Fry: I don't know, Pat. I just found that in your papers and I really hadn't run across anything on it before but it looks like a part of the whole McCarthyism psychology of that period.

Brown: It sure does. Do you want to ask me any questions about it?

Fry: Yes, I just wanted to know if your delegation--

Brown: We didn't pay any attention to it. What happened actually was in 1952 I was in Hawaii when Truman declined to run in March; I think I told you about this last time.

Fry: Yes, you told about that.

Brown: So how they ever changed the names on there or got them in time to certify our delegation I'll never know.

Fry: From Truman to--

Brown: From Truman to Brown.

Fry: You said you really didn't remember anything about Adlai coming out here during the primary, but he did come out in May. I thought maybe you would have remembered going to Ellie Heller's house for dinner with Adlai. I don't know whether you were there or not.

Brown: I think I was. I think I do remember that now.

Fry: He was getting ready to go on that annual equestrian ride in Santa Barbara right afterwards. Does that ring a bell?

Brown: Oh, he did. I didn't know that. I never heard of it.

Fry: That's all right. I thought maybe that would just help you recall.

Brown: I remember Stevenson making a speech in '52 when he was governor of Illinois. It was one of the best speeches that I heard him make. It was made in Los Angeles at, I think, Town Hall. I can't think of any time that a speech impressed me like Adlai Stevenson's speech at this convention. As a matter of fact, later when he was running for president in '56 he had run out of speeches. I said, "Dig up that one. I have it here."

I can remember he was staying at the St. Francis Hotel. I dug out the speech that he made and my secretary, Adrienne, went over and took the dictation and he changed it around but it was essentially the same speech that he had made before. But that was the one that sold an awful lot of Californians on Adlai Stevenson.

After that, Kefauver and the rest of them were really out of the ball game as far as the liberals of California were concerned, the CDC and the others, although Kefauver was a real liberal himself and quite a guy. He and I, during that campaign in '52, we kind of joshed each other. He knew damn right and well that he was an actual candidate and I was only a stand-in for Mr. X. We had one or two debates. I can't remember what I said or what I did or anything like that. I remember it was down in San Mateo. It was a lot of fun.

Fry: Someone told me that they really felt that Stevenson was going to win in '52 because of the fervor of the crowds. He remembered a Cow Palace appearance by Stevenson which he thinks happened in '52, in which they practically broke down the fences.

Brown: That's right and he did the same thing in Los Angeles in '52. He had tremendous crowds and he really sent them out of there really inspired. I can't think of any other candidate in a political

- Brown: campaign but Eisenhower, who was just too much of a leader to those who didn't attend meetings or things like that. Eisenhower, of course, overwhelmed him and then overwhelmed him again in '56. But Stevenson in '52 was really a fresh, great candidate. At the convention his welcoming speech was magnificent and then his acceptance speech too. Of course, you're getting into '56 now and we don't want to get ahead of ourselves.
- Fry: What all I want to know is what all you did for Stevenson after the convention in '52. Do you remember making speeches for him or anything like that?
- Brown: Yes, I went all up and down California. I don't think I went outside the state. I can't remember going outside of the state for Stevenson but I was very, very active in his campaign. I think I was the chairman of his California campaign, maybe not.
- Fry: I was going to ask you who was the backbone of the Stevenson-Sparkman campaign because there had been this split of the people who were split off for Kefauver.
- Brown: We brought them all back in though.
- Fry: Like George Miller, Jr.
- Brown: They all came back in. I can't remember the others. My recollection of that '52 campaign is very, very sparse.
- Fry: It seemed like Malone was pretty half-hearted for Adlai.
- Brown: I don't think so. I wouldn't say that. Malone was not a liberal. He was a practical, Mayor Daley-Irish-big-city politician, but very honest and very able. But I can't remember. I was enthusiastic for him and the Hellers really loved him. The Roger Kents and the old line Roosevelt-Truman Democrats were for Adlai Stevenson in '52. There was the maverick group--George Miller and that Berkeley girl whose history notes you took too. She became Democratic national committeewoman for a little while. What's her name?
- Fry: Shirpser?
- Brown: Clara Shirpser, yes. They had a rag-tail delegation for Kefauver, if you'll pardon me for saying it. In my lights, it was a maverick delegation of people that we wouldn't have put on at all and still they beat us three to one in the primary, showing you that the make-up of the delegation doesn't mean anything. In a big state like California, those names didn't mean a thing. We had all the congress-

Brown: men and all the leaders of the minority groups and the attorney general and probably the mayors. I don't know who was mayor; it was Robinson or Christopher, I guess, in '52. But it was a strong delegation, as I think I said last week. But it didn't do any good.

Fry: What did you do with the story of the Nixon expense fund? The \$16,000 and then his Checkers speech?

Brown: Oh, that was the funds that they raised by the private--I think we tried to use it to the hilt but he overwhelmed us with that Checkers speech. He really knocked them over. You've got to hand it to him.

Fry: Did you see it?

Brown: Oh, yes, I saw it. I can remember watching the speech and I thought it was as phony as a counterfeit dime, but I knew it was going to be very effective. From [my] district attorney and attorney general days, you deal with frauds of various kinds--bunko people--when you see a Nixon, you recognize them as a fraud; you recognize these people that are not sincere because they're really con people. That's the way I felt about Nixon and some of the other Republicans too. There are sincere Republicans. I think Reagan is a sincere conservative, I really do. But some of the others could shift with the wind.

Fry: Reagan shifted too.

Brown: He was a Democrat. He changed in '48. I think I told you this. I can remember seeing him at a meeting and going up to him--"Glad to see a few Catholics down here." He said, "Well, Pat, I'm not a Catholic." I remember him telling me that. I remember he was sitting on a platform at the Alexandria Hotel. I can remember it even now.

Fry: Why did it bother him not being a Catholic?

Brown: It didn't bother him. It was just that I had said to him, "I'm glad we have a few Catholics down here," because most of them were--as I think I told you before, Governor Olson was a narrow-minded atheist I don't mean an atheist. I say let anybody believe what they want so long as they let others alone. But he was so anti-religious you'd have a tough time getting him to appoint a Catholic to any position of any kind. But that was the group. There were very few Irish Catholics in the Democratic party in southern California; very, very few.

Fry: On that same campaign in 1952, the House Un-American Activities Committee held some hearings in Los Angeles right in the middle of the general election in October. Do you remember that?

Brown: Yes, I remember that very well and they had riots and everything else, didn't they?

Fry: I don't know whether they had riots but I guess it had a pretty big impact on your campaign and I wondered what it was.

Brown: In '52 that was?

Fry: Yes, in Stevenson's campaign.

Brown: I don't know how it affected Stevenson, but that was almost the days of Joe McCarthy.

Fry: It was because a little bit later McCarthy himself came.

Brown: Yes, I remember him speaking at the Commonwealth Club at the Palace Hotel and everybody standing up and I wouldn't stand up. I think I told you that before. I've told other people. A lot of the things I may repeat to you because I've told other people these things.

Fry: Did you have to rebut or anything on behalf of Adlai or the Democrats?

Brown: No, I don't think I had to rebut on the part of Adlai because I don't think anybody thought he was a red, although they equated in those days anybody that was for the New Deal or for free speech or anything that wasn't 1000 percent American, why, you were a red or a radical or a liberal. But for some reason they never believed that I was. It always worried me a little bit that they didn't think I was intellectual enough.

Fry: To be worthy of a red charge? [chuckles]

Brown: Because they used to get all the very smart young guys, and I think a lot of them were in the Communist party during the thirties and '32.

Fry: A lot of non-intellectuals were too.

Brown: There were a lot of these--I can remember some of the girls that used to get up at these meetings and talk. I can't remember their names but I remember how articulate they were and how I used to look at them and think, "God, these gals are smart."

Fry: This was the time that you had a party designation question on the ballot that everyone had to vote for or against. Did you get involved at all in that campaign? That was one proposition and there was another proposition to abolish crossfiling which lost by a hair this year. But the other one won, the one requiring party designation. Did you work on that campaign?

Brown: Oh, yes, I worked for abolition of crossfiling. I was absolutely against it because it was a perpetuation of the Republican party; most of the county officials where you had nonpartisan elections were all Republican so they had better name recognition. So that's the reason they dominated the legislature and everything else and that's indicated by the fact that when we abolished crossfiling in '59, my first year in office, almost continuously from there on out it has been a Democratic state. There really isn't much change in the philosophy, because you can see that last year they elected Hayakawa and Ford.

Fry: On the proposition to abolish crossfiling, I think that was Ed Pauley's money that helped with that, and I thought maybe you had helped arrange that.

Brown: I know I worked for it, but I don't think I initiated any of those things. I was attorney general and I probably aided and assisted them and came out for it, but I have no recollection of raising money. I was never very much of a money raiser except for myself. Then, my goodness, in raising money the thing was getting people with money.

VII WORKING FOR PARTY UNITY AND RE-ELECTION, 1954

George Miller, Jr., as Chairman of the Democratic State Central Committee; Founding of the California Democratic Council##

- Fry: What about George Miller winning the chairmanship of the Democratic party in California that year? One of the secondary sources says that you helped get the party regulars behind George Miller who had been in the Kefauver--
- Brown: I liked George Miller very much and I helped him very much. I always thought that George Miller was one of the most courageous, intelligent men in politics that I had ever met. He was really very good and I liked him. He ran, I think, for lieutenant governor when I was running for attorney general in 1950. I can remember sitting around tired one night, talking to him, and that was a friendship that lasted throughout our lives, although he and I had some big battles over withholding and over taxing of the oil companies and over the California water project. He was for the Delta and fought me on those things. But he was my principal supporter in 1960 after the Chessman case in trying to get a capital punishment moratorium. He was with me a thousand percent and was very, very helpful to me. I could have been all alone if he hadn't been in it. So getting back to 1954, I was for him a thousand percent.

- Fry: Do you remember who you had to talk to to persuade the most to get support for him to run for party chairman?
- Brown: Well, I've always been a bringer-togetherer, if I can use that term and there was no real ideological difference between the Kefauver people and the Brown people. I can't remember whether we elected the chairman after the convention, after the election. Kefauver won it, so they would select the Democratic national committeeman. The delegation selected the Democratic national committeeman. But the chairman of the party was selected at the Democratic convention, but I can't remember the dates on that. I know very well that I would support George Miller. He was one of what I would have considered the bright guys in the Kefauver delegation.
- Fry: At any rate, he did get in. This kind of brings up one of the theses that seems to be widely held by commentators on this period and that's that after the victory of the Kefauver forces there was a great bringing together and all of the enthusiasm from the new volunteers who had come in to work for Adlai in '52 were there and then Miller became chairman of the party and from there he went on to call the meeting at Asilomar on what's wrong with the Democratic party which evolved into CDC.
- Brown: When was the CDC?
- Fry: January '53 was the Asilomar meeting.
- Brown: Yes, that was the founding of the California Democratic Council.
- Fry: Yes, and that this all had its roots in this action in '52 which was really a repudiation of the old guard in the Democratic party.
- Brown: The CDC was really a liberal grassroots organization. I was there. I made a speech.
- Fry: Did you see this as the end result of this movement which was a repudiation of the old guard?
- Brown: I wouldn't say it was so much a repudiation of the old guard. I don't think fellows like Bill Malone and Manchester Boddy and some of the people in Los Angeles that were the conservative Democrats, that they thought much of a grassroots organization that would fight for resolutions on the floor of the meeting and would be decided by a majority vote rather than by a small committee that would make the decisions, but this permitted grassroots participation. It permitted everybody to get in and those meetings were really, starting back in '53, were really funny in the sense that they would stay up until three or four o'clock voting on resolutions and things. It was really an enthusiastic group and was the precursor of my election as governor in California and the election of a Democratic ticket.

Fry: Yes, and I guess that fact that you won on both tickets the next year--

Brown: Yes, the next year, that's right, in '54. But I remember making a speech down there, because I was speaking extemporaneously and I was talking about crime and the attorney general and I said, "You have no idea how much it costs to keep a woman in Ventura." [laughs] I remember saying that and it brought a great big laugh. I didn't intend to use a pun on it because there was a school for girls at Ventura, delinquent girls.

Fry: That was at Asilomar?

Brown: Yes, but I was not one of the leaders in the CDC. I think they were always a little bit suspicious of my middle-of-the-road stands. But fellows like Paul Ziffren, who was there, and Alan Cranston were the leaders of it and some of the others. I never had complete compatibility with them. [tape interruption: telephone]

Fry: You said that you weren't close to Paul Ziffren and Cranston.

Brown: I was close to them but some of the other people from Los Angeles-- I would say there was a liberal, a moderate, and a conservative group in southern California. You can almost identify them--men like Jim Shepherd, Oscar Trippett and the Dockweilers were the oldtime Roosevelt--they were Democrats and the Democrats were out of power before Franklin Roosevelt and they were very conservative in the Al Smith tradition. Then there was the Roosevelt New Dealers and then some that were really bordering on socialists. They were really left-wingers. Then there were moderates and I would put Paul Ziffren and Alan Cranston--Alan was a member of--what did they call themselves?

Fry: World Federalists.

Brown: He was a member of the World Federalists movement, Alan and the liberals. Adlai Stevenson appealed to the intellectual, too, to a great extent. His speeches were extraordinarily good.

Fry: I wondered if some of them thought that you were very close and kind of in with Malone and Ellie Heller, who were really kind of opposed to CDC, and they kind of expected you to be.

Brown: I think that's right. I think there was an element of Irish Catholic suspicion, that most of the Irish Catholics were kind of machine politicians; and I think that they were somewhat suspect of the San Francisco Democratic machine of which I was a part.

Fry: Do you mean they saw you as an Irish Catholic machine--?

Brown: A machine politician, right. I like Bill Malone very much and worked with him and a great many of the other district leaders who were not really ideologists, if I can use that term. They were Democrats like they were members of the Catholic church; they were born in it more than intellectual or philosophical Catholics, and I think that was the reason that I always felt a little bit out of the club with the liberals. Although with Adlai Stevenson, he and I got along very, very well. I spent two nights at his home with my wife. Kathleen went back there one year and spent a night at Libertyville at his beautiful home, and whenever he came to California he'd visit me.

He was very disappointed, as I think I told you, in '60 when I didn't support him. He was very hurt about that, but I had given up on him after he lost twice. I thought he had everything but winnability particularly in the eastern states. They just didn't trust his Massachusetts Harvard accent or something.

Fry: Did you make up after that?

Brown: Oh, yes, we were close friends. As a matter of fact, two or three months before he died, Ben Swig, Earl Warren, and I went out on a fishing trip outside the heads in the Golden Gate.

Fry: Yes, I think The Bancroft [Library] has a photograph of that.

Brown: Do they? They have a photograph of them together. I don't know whether there's a picture of me in it though.

Fry: I didn't know you were on it.

Brown: Yes, I was on the trip that day with them.

Fry: Let me run down the chronology of these very formative days at CDC. In January of '53 at Asilomar a conference happened and then in May of '53 was the first CDC meeting.

Brown: Where was that? Do you remember?

Fry: I think it was Stockton. Then in November in Fresno, officers were elected.

Brown: Was Alan Cranston the first president?

Fry: Alan Cranston was the first president. Helen Myers and Catharine Everett were the two vice presidents, the secretary was Joe Wyatt and the treasurer was Charles O'Brien, who was later to be--

Brown: A candidate for attorney general.

Fry: The nominating and endorsing meeting then, the very first one, was held in February of '54. In all of this I'm really trying to get the different factions and things straight in my mind. There were those that were a part of a thing down here called A Dime a Day [for Democracy]. That was Elizabeth Snyder and Yorty and maybe Richard Richards.

Brown: Was Sam Yorty a part of that group too?

Fry: According to my notes he was.

Brown: He was a very liberal Democrat when he first up there in '38 but he later became almost a reactionary. He should have been a Republican-- [tape interruption: telephone] So go ahead. I've got the chronology of the CDC. It's bringing back memories but they're very faint. I really have to read a newspaper or something to remember everything that took place.

Fry: They started out endorsing Yorty. There was a move to endorse Yorty for the Senator race and from what I read there was also Peter Odegard.

Brown: Yes, that was at the Fresno convention.

Fry: Are you ready to skip to there or do you want to talk more about the initial organizing and who helped and what issues came up?

Brown: I don't remember very much about that. I think for oral history they better refer to that thesis which is probably on file there better than testing my recollection.*

Fry: The thesis hasn't much in it about what you did.

Brown: I didn't do very much. I attended, I supported it, but my life was the attorney general's office then. I was very active in the National Association of Attorneys General. I was very active in the tidelands case and very active learning the job of being attorney general. So my political life was somewhat diminished during that period of time. [tape interruption: telephone]

*Carlotta Herman Mellon, "The Rise and Fall of Grassroots Politics: The California Democratic Council, 1953-1966." Claremont College.

1954 Campaigns: Sitting Out the Race for Governor

Fry: In the CDC, just as that was getting under way, there are lots of items about your running for the Senate, which was what Yorty finally ran for, and I wondered how serious that was. Did you really want to run for the Senate?

Brown: I wanted to run, period. This was in '54?

Fry: Yes, when you would have been re-elected as attorney general.

Brown: I went to a meeting in '54 at Ed Heller's home in San Francisco. All of the moneybags in the Democratic party were there and they wanted me to run for governor in 1954. Against Goodie Knight. I was very friendly with Knight. I had been his attorney general and we got along very, very well although I was never very impressed with him. When I'd go in to talk with him, all he'd do was talk politics; he wouldn't talk government at all and I was really more interested in government.

But as I went out that night, Bernice said to me, "I know they're going to ask you to run for governor. I just want you to remember that you know what happened to Adlai Stevenson after he ran for governor. Mrs. Stevenson divorced him, so just remember that. I'm not saying anything to you, but I don't want you to run for governor at this stage of the game."

So when I went there I loved the urging and I was complimented by the confidence of these people, but I just said, "Absolutely no." I'm glad I didn't because I enjoyed being attorney general and the eight years as attorney general were really highlights of my life.

Fry: What was that stage that Bernice was referring to? Why was it bad for you to run for governor then?

Brown: Adlai Stevenson, his wife divorced him.

Fry: I know but--

Brown: Why didn't she want me to run? She just didn't want to get into another political campaign. It looked like the attorney-generalship that I'd have all the support in the world, which I did have. As a matter of fact, the Republican leader of Los Angeles, of course, was the Los Angeles Times. That was the bellweather of the Republican party, and the man that was their political editor and really the political boss was a little guy by the name of Kyle Palmer. He wrote an article every Sunday, and every politician paid homage to

Brown: him. So this was time when he called me up and said, "Come on over to see me." So I went over to see him and this was in the primary and he said, "We'll support you for attorney general provided one thing. If you win in the primaries, you won't get into the campaign for the United States Senatorship or the governorship."

I said to him, "Let me think it over." So I called him up the next day and I said, "Kyle, I appreciate very much your offer to support me." I really like Tommy Kuchel. I think it was Tommy Kuchel that was running against Yorty, wasn't it? I said, "I really like Tommy Kuchel very much and Knight and I have gotten along very well and I don't think Graves has a chance, but I know I'm going to be in a lot of Democratic meetings and things like that. If I give you my word, I'll have to live up to it, and it will be very embarrassing to me not to say, 'Vote for the whole Democratic ticket,' so I have to refuse your offer."

Well, they supported me anyway in the primaries and as you see by the returns, I won both party nominations. But I was always happy that I didn't do it. As a matter of fact, the week before the election I took a trip to South America and I was gone election night. I knew I was going to win. I knew they couldn't beat me. When I think of the effrontery of going away a week before elections, but I won both party nominations.

Fry: That was a week before the general election?

Brown: Before the general election. I went away. I really went away because I didn't want to get into the campaign. I liked Dick Graves. Dick was a good guy. But he had been a Republican until six months before that. He was the executive officer of the League of California Cities. But I never liked Sam Yorty. I never liked him and I did like Tommy Kuchel, so I really "took a walk" to stay out of the last week of the campaign so I wouldn't be embarrassed.

Fry: You didn't help Graves very much before that either, did you?

Brown: No, I don't think I did. I didn't know Dick Graves until the election. I liked him, and he and I became very fast friends after that but I didn't help him very much. I didn't think he had a chance to win. Labor endorsed Knight with the exception of George Hardy's building and employees union.

Fry: The non-AFL unions endorsed Graves, I guess.

Brown: Right.

Fry: Initially at the CDC convention, did you prefer Laurance Cross or Killion over Graves for governor?

Brown: No, I preferred Graves. I thought Graves would make the better campaign. I liked Cross. He was the mayor of Berkeley. I didn't think George Killion made much of a fight for it, did he?

Fry: Oh, he didn't. I'm not even sure he was nominated, but early on--

Brown: If George Killion had been a candidate, I would have been for George because he had been a close friend of mine. He and I had gone back to the Democratic convention in '52 and '56.

Awkward Moments for the Attorney General

Fry: This is kind of going back in time, but this thing that I gave you to read, which is a March 31, 1953 memo, "Dear Pat" from somebody (maybe you know who that's from), they mention this mysterious organization that nobody must yet know about of yours. I wondered if that was your own election committee for governor or Senator or what. (I have little pencil marks drawn along the side. It's at the bottom of page one and the bottom of page two.)

Brown: [pause to read papers] What's the other? That's Fran Healey. Fran was the former district attorney of Contra Costa County--he was a Democrat--I don't think he ever amounted to very much though.

Fry: He's just saying that you can have the support of--

Brown: I can't remember who they were. I can't figure you what it is. [pause] Who signed this? JF; who was that? Julius Freedman. Who the hell is Julius Freedman?

Fry: I think he was someone on your committee.

Brown: Harry Lerner, I guess, was my campaign chairman. [tape interruption]

In this campaign in '54, there's one thing I may forget. What the hell was the name of the guy?--Prentice Moore and Bill O'Conner made a contact before the campaign began with a judge by the name of Victor Hansen who was thinking of running for attorney general.

Fry: I think you mentioned that, after we turned off the tape last time.

Brown: As a matter of fact, I think they took care of all of his expenses and got him out of the campaign. I have no personal knowledge of it. They'd never tell me. But I have a feeling that they did it. Now, Ed Hills, who was my co-campaign manager and a very straightforward,

Brown: hard-hitting guy, he was determined to stop this. He thought it would hurt me and he didn't like Prentice Moore and Prentice Moore didn't like him; so I lived in mortal fear that the story would pop out somewhere along the line, that Hills would go to the newspapers and I think on one occasion it pretty nearly did. There was some story--and I had the campaign cinched.

I didn't give a damn whether he got in the campaign or not between you and me, but my people wanted to get it over with in the primaries, so I think they paid this guy \$10,000 or \$11,000. I've never checked that out. Frank Mackin would know it and Prentice Moore would know it. Ed Hills thought he knew but they didn't trust Ed Hills and wouldn't tell him. There was a great rivalry between the north and the south, and the southerners didn't like Ed Hills at all who was one of my oldest, closest personal friends, very successful in business but very stupid in politics and very conservative. Very reactionary as a matter of fact--a registered Democrat but he'd always come out for Republicans which embarrassed the hell out of me but I couldn't stop him.

Fry: You started to give the instance in which this matter almost popped out as public.

Brown: Somewhere along the way there was some story in the paper; Hills kept threatening to go to the press and tell about it, and I was scared to death they'd do it. But it never did come out. But I'd like to find out about that. If you send me any more memos, remind me to check with Prentice Moore on what actually happened. Prentice is now farming up in Nevada County, but I'll get hold of him if you'll remind me of it.

Fry: Okay. I'm glad to know where these people are.

Brown: But you'll never have a chance to see them all.

Liquor Licensing; Party Election Conflict

Fry: Did you have a lot of difficulties with the Elizabeth Snyder group?

Brown: No, as a matter of fact, Elizabeth Snyder and I get along very, very well. She was a very good friend of mine, a very smart woman. To this day we have remained bosom friends. Elizabeth Snyder was an alcoholic, joined AA, and I think for fifteen years she's never had a drink. But she was one wonderful person. Not a very attractive woman, but as I think back on people that I know she's one that I admired and respected very, very much. Her husband went to jail.

Fry: Yes, I thought maybe that had put you in a difficult position because you were attorney general.

Brown: He was prosecuted by the district attorney of San Diego County and I don't think he was ever guilty. He was a nice fellow too. But she was really a wonderful woman. Her daughter is now a lawyer and a good one, too. I don't know where she's practicing.

Fry: That was the year that she was the subject of the internecine battles in the Democratic party because of her connection to the Bonelli affair. Her husband's name was Nathan. The way it ran along with the campaign and the development of CDC's efforts and everything was that on January 14, you as attorney general had issued a 45-day moratorium on the transfer of new liquor licenses in premises that had yet to open. Then on February 9, you sent your report to Caspar Weinberger who had a legislative committee investigating this. Then on July 11, along with Bonelli's indictment for illegal collection of political funds and bribery, her husband, Nathan, was indicted for the same plus perjury at that time, so all of this was running right alongside the campaign, and I thought maybe you as attorney general found it very difficult to get involved in that fight for--

Brown: Well, I was leading the fight against corruption against Bonelli. I felt Bonelli was a very corrupt guy.

Fry: And Snyder was running for head of the Democratic party.

Brown: Elizabeth Snyder.

Fry: Yes.

Brown: But Nate Snyder, if he was involved, was on the periphery of it. I always thought he was a nice fellow. But I liked her and respected her very, very much. He was indicted for perjury by the district attorney of San Diego County, and I couldn't do very much about it. I mean he was the prosecutor; it had to be left to a jury. I didn't know anything about the evidence, although we had the statewide investigation of Bonelli and his cohorts. We had that thing going.

Fry: But Nate Snyder was not one of those?

Brown: He was not one of our targets, no.

Fry: What side were you on in the fight for the chairmanship of the Democratic party?

Brown: Who was she running against, do you remember?

Fry: Yes, she was running against Munnell and Zetterberg. Both Bradley and Graves came out against Snyder because of her connection to--

Brown: But she won, didn't she?

Fry: She won, yes.

Brown: I don't remember. Bill Munnell and Steve Zetterberg were all good friends of mine. They were very, very close friends of mine. But I can't remember who I was for. I think I grew to like Elizabeth better as time went on, as I got to know her a little bit better, and I think I felt sorry for Nate going to jail and I wanted to help in some way. I think as a result of that we became very friendly.

Fry: She has a good defense of this whole thing in the oral history that she did for us.

Brown: Oh, did she? She's a nice person; a hell of a great gal. I felt sorry for her.

Fry: I think this was the time, Pat, when you were supposed to give a keynote speech and you didn't. Instead you left early.

Brown: Where was that?

Fry: I thought maybe it was because you wanted to stay out of this fight for the chairmanship.

Brown: That's probably the reason, but I have no independent recollection of it. Bill Munnell was a very good friend of mine. As a matter of fact, I later appointed him a judge. He had a lot of banks. He did very, very well out of politics. Steve Zetterberg was a man that I respected very much too, so I can't tell you who I was for.

Fry: You had been in a terrible position.

Brown: I loved them all. But they were all for me and I just didn't want to--a long time ago I came to the conclusion that these fights for party offices or minor offices, it didn't make much difference who was elected as long as they were intelligent people, and the only thing I could do would be to make enemies rather than friends; so I kind of stayed out of it.

Fry: But the passions seemed to run high in those internecine fights.

Brown: Oh! In 1966 when Charlie Warren was running for state chairman against Carmen Warschaw, it was a battle royal.

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Brown: But he insisted on doing it and then she insisted upon me supporting her and here was a convention where it was about fifty-fifty and here I am fighting a life or death battle for governorship and I get into a battle over the state chairmanship! I just hated it but I couldn't do anything about it. I supported her, but I did it with my fingers crossed. I said, "Give me a chairman."

If I had talked a little bit stronger, why, I could have put her over. But she had been kind of mean to me too, so I just couldn't get enthusiastic over her, although the Warschaws and the Harveys had been very nice to me financially in 1946 when I ran for attorney general. Lawrence Harvey, her brother, was one of the few guys who ever gave me any money.

Fry: Did she come around to supporting you in '66?

Brown: Who?

Fry: Carmen.

Brown: Oh, yes, they all supported me. But she's been an enemy of the Brown family ever since.

Fry: I remember some statements she made that sounded like she was coming out for Reagan.

Brown: What campaign was that in? I think she did. She made some very disparaging remarks afterwards. At one convention who was it she got angry with? She got angry with one of the Democrats. She had an airplane go around--"Remember your friends." But it's a funny incident. I think that was in Atlantic City. She had hired a plane to--"Get it in writing" I think was the expression. Somebody said to her, "Are you supporting me?" She said, "Yes." But when she said to him, "Don't you remember?" He said, "No." She said, "After this I'm getting it in writing." I don't know who that was addressed to. Maybe to Paul Ziffren. I can't remember.

Fry: That was after she felt that you had gone back on your promise?

Brown: Not I. No, it was directed against somebody else but I can't remember who it was directed against.

Bipartisan Re-election Support; Tidelands and Oil Issues

Fry: Back in '54 the Democrats in general really got behind your re-election as attorney general. I wonder what you analyzed as your winning coalition that year. Was this something you were able to use later?

Brown: It was really the weakness of the opposition, number one, and, number two, I really think that I was a good attorney general. I had a good staff and I worked hard at the opinions and the policy decisions in the office, and I think I gained the confidence of the career men in the attorney general's office and in law enforcement. I took Warren's crime commissioners, Arthur Sherry and a fellow named Robinson, and put them in charge of my law enforcement, and they were incorruptable and competent. Robinson had worked with the Kefauver investigating committee, and Sherry had been the head of Warren's crime commission. So I had that Republican law-enforcement group with me which was a very strong and powerful group.

Then on the tidelands--as a matter of law I didn't think California was entitled to it, but I was the lawyer for California, and I can remember saying in small groups (which was a very stupid thing to say, but I say a lot of stupid things) [chuckles], I said, "Just because I represent the tidelands doesn't mean it's right. I've represented whores. That doesn't mean I believe in prostitution."

But I fought hard for the State of California and the tidelands and finally got them back. I think there's one instance (maybe I haven't reported it yet, but it should be in the oral history)--I went back to see Truman after--I think I told you about this--I went back to see Truman about signing the bill and had the appointment with him. Before I got there, Truman had already vetoed it. So I walked in with my chief deputy, Bill O'Connor and I said to him, "Mr. President, it doesn't do any good to see you. You've vetoed the bill now."

He said, "Pat, let me tell you a story about a Missouri judge. He believed in a fair trial for everybody, and he always listened. He'd say, 'Bring the sonofabitch in. We'll give him a fair trial and they we'll hang him.'"

I'll never forget the expression, I'll never forget what I thought about it. I was really very disappointed that he didn't give me a chance to talk.

I was really never sympathetic with the return of the so-called tidelands after the Supreme Court decided they belonged to the federal entity. But I fought very hard, spent all the money, put

Brown: competent counsel in charge, did everything I could to win it, and finally when it went through the House and it went through the Senate, I prevailed upon Eisenhower to sign it and he did.

But the issues of states' rights which they raised was a phony issue. It had nothing to do with it at all. I never used that argument.

Fry: I wonder how that connects with, for instance, what's in this March 31 memo, because there's a reference here that you must have just read where they talk about Jack Smith intimated to Gordon Garland that their crowd is not too happy with Knight--Jack Smith, I guess, being the independent oil company.

Brown: Yes.

Fry: And that they might like to dump Knight. He said, "Healy, who just returned from southern California, says he's losing a great deal of ground with the working Republicans. I feel sure the day is not too far distant when we may lose these oil people, but you may think it worthwhile to keep them on your side as long as possible." Now, this was March 31, 1953. So that was just right after the tidelands victory in the Supreme Court.

Brown: Yes, supporting that gave me prestige with the oil companies in California because they all wanted to bid on that, and they thought they could do better with California politicians than they could with the Interior Department, the federal government.

Fry: As attorney general, were you helping prepare the case?

Brown: Oh, yes. We had the case. As a matter of fact, I argued the case in the Supreme Court. Alabama and Rhode Island brought a case against Texas, California, Louisiana, and Florida to have declared unconstitutional the bill signed by Eisenhower restoring the lands within a three-mile limit measured by the headlands. If there was a point out here and a point out there, they'd draw a straight line and that belonged to the state and that beyond it belonged to the federal government; or the Farallon Islands, they'd draw a three-mile strip around it. It was very important because there was a hell of a lot of oil in there and where would it go, to the federal government or to the state? Well, I was representing the State of California. I was their lawyer, so I did everything I could. As a matter of fact, I argued the motion to dismiss in the Supreme Court in that Alabama-Rhode Island case, made the first argument and won the case.

The basis for it was that the plaintiffs didn't have jurisdiction to sue. I worked very hard and Warren Christopher, who's now the undersecretary of state, was my coach and pleader and legal research

Brown: man in addition. He prepared everything and we worked at it in the hotel, we worked at it on the train, and I would make the argument which is all written out.

The day before I was to argue the tidelands case I went to the Washington cathedral, I walked down and Justice Douglas was there and I said to him, "Mr. Associate Justice, I'm going to argue one of the cases tomorrow, the tidelands case."

He said, "Well, you better be prepared. I've got a lot of questions I'm going to ask you!" Well, he scared the living hell out of me, but I got up and argued. They didn't ask a single, solitary question and the reason they don't is because they presume that the attorney general is just making a political argument written by someone else, that he's a politician. But I was prepared to answer the questions. As a matter of fact, I was very disappointed when I sat down and he didn't ask any questions. I'll never forget it.

Fry: How did this affect your support from oil companies?

Brown: It helped it. It helped it very much because I was supporting a position that they had. But then they had an initiative when I was attorney general. It was on bringing all the oil companies within an area into one oil development unit. I can't think of it.

Fry: Yes, into a pool.

Brown: Harry Lerner handled the campaign against it. He represented the Kecks who were the Superior Oil people who--and they fought very hard against--

Fry: It was called the Oil Conservation Initiative [Proposition 4, 1956].

Brown: Yes, oil conservation but they had something--stop the oil sharks. They had a picture of a shark gobbling all of the little oil companies.

Fry: That was Lerner's?

Brown: That was Lerner's billboard and it was really clever. But a fellow by the name of Charlie--he was the president of Richfield Oil--a big, tall guy; a great big, tall fellow. I came out against his position. I can't remember what the position was. He said to me, "You put your knife in the back and you turn it around," because I really killed his initiative measure.

Fry: That was '56.

Brown: Was that '56? I can't remember those dates.

Fry: Because I was curious how you would handle that.

Brown: I've got to get a little fresh air. I'm getting sleepy. Come on out and get a little fresh air. [opens sliding doors to patio and walks outside] It's sort of spotty, isn't it? [tape interruption]

Campaigning in Southern California

Fry: In one of these memos that I gave you, you said you wanted to spend 75 percent of your time in southern California in this campaign. Is that the first time you made that kind of a decision and how did it work out?

Brown: Well, there were more votes down here so I think that was it and, of course, I was much better known in northern California. My district attorneyship of San Francisco had carried in the whole Bay Area and northern California. I made more trips up there too, in northern California--Marin County and Russian River, Sonoma County, San Mateo County, Santa Clara, they were my bailiwick. So I had to spend more time in these counties to get known.

Fry: In your memo--

Brown: The one you gave me just now, that long memo? Is this it?

Fry: Yes, this was a memo from you which is kind of rare, all about the campaign.

Brown: It looks like it took a little time to write that. [tape interruption: telephone]

Fry: Your southern California campaign chairman was, I guess, John Cassidy.

Brown: He was a paid guy.

Fry: How did he work out?

Brown: This way. [thumbs down gesture] He became a city councilman, but I always thought he was a boob.

Fry: Emmett Doherty?

Brown: Emmett Doherty was a very well-to-do and successful southern California lawyer, Irish Catholic, married to a very wealthy woman. I'll never forget, he flew up to San Francisco to see me before he came out for me and talked to the newspaper editors about my work as district attorney and finally agreed to support me. I later put him on the bench too.

Fry: This was in '50?

Brown: I think this was in '50. I think it was my first campaign.

Fry: Then you saw him again in '54.

Brown: I saw him from time to time.

Fry: Then there's a Harvey, Lawrence Harvey.

Brown: Lawrence Harvey is of the Harvey Aluminum family and the one related to Carmen Warschaw's brother. He was very helpful in the campaign and very close to me.

Fry: He was related to her brother or he was her brother?

Brown: He was her brother.

Fry: There was an Edmund Cook.

Brown: Ed Cook was a practicing lawyer and was part of our little inner circle and a very close friend of mine. He died. A nice guy and very helpful in the campaign. He worked a lot with the liberals.

Fry: Was he better as in organizing or as a contributor?

Brown: He was more of an organizer although a very small contributor, but he was very active in the liberal Democratic group.

Fry: Frank Mackin.

Brown: Frank was my oldest friend and still is. I put him on the bench too. I put Cook on the bench too. I put them all on the bench.

Fry: Robert Mead, Jr.?

Brown: He was a partner of the great criminal lawyer down here, Jerry Giesler. I didn't put him on the bench, but he and I were friends all the days of our life. He was a very successful practitioner. He made a lot of money.

Fry: What about Bill O'Connor and Prentice Moore?

Brown: They were two of my intimates. They were the people that really helped in the campaign more than anybody else. Prentice's father was a judge of the appellate court. Bill was my closest friend. We traveled around socially. My wife would come down and we'd travel together. He introduced me to a lot of motion picture stars. He was a big handsome guy.

Fry: Was Preston Hotchkis able to head up Republicans for Brown?

Brown: I can't remember whether he did or not. He and I became friendly, but I can't remember if we still are. He's a man over eighty years of age now. But he's in very good physical shape. He looks fine; beginning to age a little bit.

Fry: Your state chairman was Edgar A. Hills and we have some vitriolic memos between him and--

Brown: Prentice Moore. He hated Prentice Moore. He thought Prentice Moore was a crook.

Fry: And a Bob somebody too.

Brown: Bob who?

Fry: I don't know which Bob it was. Anyway, I wondered if this was something that was difficult for you to deal with.

Brown: Oh, Hills was a very difficult guy to deal with. He was very loyal but not very political.

Fry: Then Stevenson came out and he campaigned for Graves about three different times.

Brown: Oh, yes, yes.

Fry: Did he also campaign for you?

Brown: I'm sure he did. I'm sure he did but I can't remember him particularly campaigning for me. But he came out to campaign for the Democratic ticket against Knight, and I'm sure he campaigned for me. The governor and the United States Senator were the tough campaigns. I don't think he was ever very keen for Sam Yorty. The Democrats never trusted him after he went back to Congress because he attacked Truman. He was a very disloyal Democrat and had a terrible personality and he was a reformed Communist. He had been a left-winger elected on a socialist ticket almost with Upton Sinclair.

Fry: Yes, and I think wasn't it '52 when he was (or maybe it was '50) when he came out with all of the campaign literature that he charged to the taxpayer--Yorty did--40,000 or 80,000 copies that were mailed out.

Brown: On his congressional plank.

Fry: Yes, on his congressional plank and this had been embarrassing to some members of the Democratic party.

Brown: I don't remember that very much.

Special-Election Gains; Dissension in the Party

Fry: You may remember that in '54 and '53, the strategy was adopted by the party to try in areas where there were special elections, to try to get just one Democrat to run and then pour some resources like Pierre Salinger and I think maybe you to go to that one congressional district--

Brown: And work like hell. It was very successful too because we didn't have enough money to concentrate on all these areas but we began to win some districts by this type of campaigning and picking good candidates.

Fry: It says that the Democrats won eight out of nine elections that way.

Brown: We did. I remember that. That was a very successful strategy.

Fry: But then I thought maybe there was a counterstrategy. You can explain this to me. In your papers I found that there was an opinion from you on whether the governor could legally delay or neglect to call a special election when the board of supervisors in that county approved it. The governor was Goodie Knight.

Brown: I think I wrote an opinion he had to call a special election.

Fry: Because he must have been trying to not call them after--

Brown: Yes, they didn't want them after we won eight or nine of them, but I wrote an opinion that he had to do it. I think he was mandamused in one case. I think the courts went along with my opinion, and he had to call a special election.

Fry: Then you continued to win more in the regular election.

Brown: We now had a name Democratic identification.

Fry: On the ballot, yes. One of those people was Unruh who got into the assembly.

Brown: Yes, he was elected. He lost the first time and won the second time.

Fry: Were you at all aware of Unruh that year?

Brown: I think I was aware of him but just aware of him. He didn't stand out or anything. He didn't really stand out until--well, he and Bill Munnell were very close. They were both in the legislature and they worked together very well.

I'd like to talk to Bill Munnell one day because the Democrats (this has nothing to do with what you're asking) but the Democratic convention of 1960, Munnell was for Stevenson and Johnson and Unruh was for Kennedy and I always thought there was a deal made that Unruh would support one and Munnell would support the other and then when they got in, the one that won would help the other one to get in. I always felt there was a little conspiracy between them. When you ask him, find out from Munnell whether he had any kind of agreement in the 1960 convention, it has nothing to do with what we're talking about now but I'm just interested.

Fry: Okay. Is that a thing that's often been done?

Brown: Not very often, but the things Unruh did were not very often done anyway. He was a real conspirator, and Munnell was a very clever guy. Vincent Thomas was the Democratic floor leader and he was a very seasoned politician and a very good friend of mine. I always attended their San Pedro Columbus Day harbor parade with the ships and the fishermen, a very colorful thing. I enjoyed it very much.

Fry: That was in the assembly?

Brown: Yes, they were both in the assembly.

Fry: Let's see if we have any more questions here on the Democratic committee. There was interesting thing back in the CDC convention on the lieutenant-governorship: I think it was Zetterberg who was supposed to have gotten elected and Roybal was supposed to have stood up and made his speech withdrawing from the race for lieutenant governor. Ziffren was for Zetterberg. But when Roybal came out the whole convention broke loose in cheers and ovations, and Roybal instead accepted the nomination.

Brown: I don't remember that. I remember Roybal. He was the lieutenant governor with Dick Graves?

Fry: Yes.

Brown: He later went to Congress, Roybal; but I don't remember that.

Fry: The whole picture, Pat, is analyzed as an ongoing story of a struggle against the big Democrats that were in power. I think that includes you. Maybe it doesn't.

Brown: Well, I think it does. No, I think I was part of the organization, but I was never target number one because they were never quite sure of me. I was kind of a floating target. But you're absolutely right. Even the CDC convention was an effort to dislodge those Democrats that had gained so much prestige during the Roosevelt-Truman days. They were liberals and they wanted to elect liberal candidates and they wanted not necessarily to win but to have the right kind of candidates. That's right. But I don't think they were ever terribly against me. They always supported me. I had their support even up to the 1966 convention when we had the big battle that year on the Vietnam War.

Fry: You were the strongest Democrat in the state, weren't you, all through the fifties?

Brown: That's right, and I really worked very hard to keep the party together. There was a great deal of dissension, and I felt being the only Democratic officeholder that it was my job to build it in every way I could. I made trips all over the state and supported Democratic candidates, which an attorney general ordinarily didn't do. But I did. I was really very active. I really feel that I should take a great deal of credit for building the Democratic party.

Now, in '54, it's true that I didn't do much for Yorty whom I never really trusted, and I didn't think Graves had a chance against Knight, and maybe secretly I felt that if Knight were re-elected he wouldn't run again in four years and that I would run and get elected. I don't know. That may be giving you a confession that may not be true. I don't remember that. I was perfectly satisfied in those days to be attorney general all the days of my life.

U.S. Webb had been attorney general for about six successive terms and I enjoyed the opportunity to argue cases in the Supreme Court. I loved the law and I loved working with it. There was criminal law in it on graft and corruption and organized crime and things I went after like the Bonelli case and some of the organized prostitution rings in the state and gambling. I got along well with the sheriffs and the chiefs of police and the district attorneys. They all supported me when I ran for governor. So it was a very happy eight years as attorney general. I could travel. I went to South America. Did I make any other long trips? I was six weeks on that trip.

Fry: While you were enjoying being attorney general, how much real politicking could you do?

Brown: I could do a lot. I think Bernice will tell you that I was out continuously. She didn't see a hell of a lot of me during those years.

Fry: How did you pick up your labor support? I think you had labor support in '54 when you won over Howser.

Brown: Well, he had been defeated and I had been a good attorney general for labor. I have no idea what legal opinions I had to render, but I went to their meetings. I treated them well. I tried to protect their members if there was any tax upon them in any way; if they had any initiatives of things that they were for, I'd be for them. I cultivated organized labor, Neil Haggerty and these people--just like Goodie Knight did after he was elected.

Fry: We have a long interview with Roger Kent too. How close did you work with Roger?

Brown: I was very close to Roger but he was never one of my intimates. He was one of Bill Malone's intimates more than mine. I never was really identified with any one of the groups. I was friendly with all of them. I was the catalytic force that kept them all together.

Fry: The capstone maybe.

Brown: I don't know what it was but that was always the way I tried to do things, to moderate. I've always been a moderator to try to bring them together.

Fry: It looks that way by default actually when you read about it, because everybody else is making enemies and friends and you don't really come through.

Brown: Yes, Yorty was a right-winger. Richards was a liberal. The left-wing liberals of southern California, this motion picture group, they have really been members of the Communist party, a great many of them that left it and became Democrats. I'm not a McCarthyite and never was--despised the guy--but you can't gainsay the fact that they were pretty left-wingers, and the northern Californians never trusted them. When we went back to the convention in '48--was it '48? I guess it was, when Truman was the candidate for re-election --the San Francisco group met the Los Angeles group at Denver, and we were divided by a dining car but we were divided by the continental divide because the philosophy of the Democrats from northern California was moderate to conservative; the Democrats down south were liberal to radical. They fought like hell, Jimmy Roosevelt and his cohorts, and they loved Jimmy. He had great supporters down there. Jimmy was a very popular man in those days.

Fry: Yes, and pretty far on the left.

Brown: I think so, right.

Campaign Techniques; Financial Disclosure

Fry: You used Harry Lerner again in '54.

Brown: I used Harry Lerner every chance I could after the '50 campaign for attorney general. He was the one who got those letters that we received, got them put in the Drew Pearson column. When the Chronicle wouldn't use it, he had Drew Pearson called up because Pearson had an agreement they had to use his column. They couldn't eliminate some and just take others. So we got the story in every paper through Drew Pearson about Howser which we couldn't have done any other way.

Fry: There is a "Manual for Campaign Workers" for the attorney general's 1950 race. Would Harry Lerner have drawn that up?

Brown: I don't know whether Harry Lerner did it or not. We always used him kind of as a hatchet man. He was the attacker. But then we had other people to organize. I think I had a man named George McLaughlin who was a good organizer, put out a paper.

Fry: This was a manual that contained a lot of different kinds of speeches that people could use, just little short speeches, when they got up in their local meeting.

Brown: Pat Frayne or one of those in the AG's office may use that. Pat was a big Democrat and then he'd gone in as--no, I guess not--he came in with me. [tape interruption: telephone]

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Fry: In that campaign manual I noticed that it was all aimed against Howser. In '54 you ran against Howser again. You demolished him in the primary in '50. I wondered if you used a lot of the same material. Was this just the same old go around or was it different?

Brown: Well, in '54 he was practically persona non grata. He had been retired. I had the support of most of the Republican newspapers in the state. I had the Republican lawyers and the bar association and the peace officers. My support was so widespread in '54 for re-election that I really didn't have to attack. I could just rest on my own reputation. I had been active in the Stevenson campaign in '52, but I didn't get identified with the Democratic party as such in the '54 campaign (Graves and Yorty) so that people weren't too afraid of me and the L.A. Times supported me.

Fry: Yes, how did you do that?

Brown: Well, I told you about them wanting me to agree not to campaign, but I think, if I do say so myself, I was a good attorney general. You talk to people in the AG's office, they'll tell you that I was a hard worker. I moved around the three offices and I made close friends of all the young and old deputies. We only had about a hundred deputies. So I knew every single solitary one of them.

Fry: Did this thing that is in the final paragraph of your May 7th memo ever come to pass? You say, "I have received confidential information that a vicious attack will be made upon me during the last two weeks" and then you suggest that they find out about it and be prepared.

Brown: I don't remember what it was. I have no idea what they--I knew they'd never get me for any money and I don't think they'd get me for campaign corruption or something. They might get me on my political philosophy because I had been a member of the Lawyer's Guild and I'd supported Harry Bridges. They did come up with a campaign, in one of the campaigns, about supporting Bridges and the red radicals and that sort of thing. But that was all they ever had on me. My contact was pretty good in those days.

Fry: There was something in 1950 that your opponent came up with. It was a charge of Shattuck's that said that you owed the City of San Francisco \$8,960 representing a judgment against you of hiring an illegal aide in your office. What would an illegal aide be, a relative?

Brown: No, no. What happened is in 1945 after the war was over with, or '46, I appointed two young Marine Corps officers who had been overseas, Roger Garretty and Bill Mullen, and both of them were residents in San Francisco and had lived there all their life. But when they came back and started law school or to take the bar examination, they got jobs in the Oakland Recreation Department. They were both athletic kids. So they had to register to vote in Alameda County. So I appointed them as clerks or assistant district attorneys, and the statute required them a residence of three years in San Francisco before they could be appointed.

So somebody brought a taxpayer's suit against me and got a judgment against me for \$7,500 plus \$2,500 attorney fees or a judgment of ten thousand bucks against me. So I had to put up a bond of \$20,000 and took it on appeal. When it went up on appeal, Norman Elkington had been my lawyer where we lost it and he was my lawyer on appeal, but I didn't like his position. I didn't feel that it was--I wanted him to take another position. I was now attorney general, so I turned it over to one of the deputies in the attorney general's office. He wrote a different opinion. Ray Peters --[tape interruption: telephone] I appealed the case and I changed

Brown: the issue with the permission of the court and we won it on a pre-emption doctrine, that the district attorneys were not governed by the charter of San Francisco but they were governed by the state law. As a result of that, the judgment was reversed and as a matter of fact, I gather my court costs didn't cost anything. [tape interruption: Bernice enters]

Fry: At the end of '54, in fact in March of '55, you ordered copies of all the official campaign statements for top statewide races and the U.S. Senators.

Brown: I ordered them all?

Fry: You ordered them all to come into your attorney general's office and then there is also a brief on the law of campaign contributions. What was it you had up your sleeve?

Brown: Probably a good publicity thing. But campaign contributions always bothered me. As attorney general, I supported a purity of elections law of full disclosure.

Fry: It could have been that. It might have been lobbying--

Brown: It could have been that or of lobbyist's money. As a matter of fact, Earl Warren, when he filed his campaign statements, if there were fifty guys--one guy that gave him a thousand, another guy that gave him five thousand, another guy gave him five bucks--they were all listed alphabetically so you never knew. If you gave him "X" number of dollars and I gave him twice as much, our names would be together. The code provides differently but Warren had interpreted it that way. Well, I didn't want people to know who my campaign contributions came from either, so I just followed the Warren tradition.

But I did support a more accurate description of campaign contributions, but we never could get it through. Unruh and those other people fought it in the legislature when I was attorney general. As governor I couldn't get it through either. They fought me as governor. Some of them gave lip service to it, but never really supported it. But I don't remember ordering all the--where did you get that information that I ordered it all? What does it say?

Fry: I read the order in your papers.

Brown: Oh, did you? I don't remember that at all.

Fry: It could have been just a general interest on your part. We may never know.

Looking Ahead to 1958

- Fry: The wind-up question on 1954 is what did this campaign set out to accomplish; not just yours but the whole Democratic campaign? You must have had meetings with Kent and all of the Democratic leaders. The reason I ask this is because it looks as if most of the leaders were working as hard or harder at bringing together the Democratic party and getting it organized for '56 or '58, than they were working for winning the senatorship or the governorship in that particular campaign.
- Brown: Well, there was very little enthusiasm for Yorty. There were a lot of loyal people for Graves who was a very intelligent guy and made a damned good campaign, made good speeches. He knew government, he had been the executive secretary of the League of California Cities. He had many friends outside of the Democratic party but Knight had been a pretty good governor, I mean this ultra-conservative that once was going to run against Warren began to cosy up to labor in supporting increased workmen's comp and increased social welfare.
- Fry: Yes, it was usurping a lot of Democratic territory.
- Brown: He took a lot of Democratic territory, and he would have been a very difficult man for me to beat in '58. But I think the Democratic party was trying to unify at that time. We knew we had a tough fight in '54. I think the notes ought to also show that I made a long trip to South America. I left maybe two weeks before the end of the campaign and went to an International Officer's Conference in São Paulo.
- We went to Guatemala and to Panama and to Peru and to Chile and to Buenos Aires and to Rio de Janeiro, and Caracas, and then back home. It was quite a trip, six weeks, a great trip. Bernice and I and Emmett Daley. I took Judge Daly along with me later on and made it just the three of us.
- Fry: Is this part of this general pattern of a feeling that the primary purpose of that election was to unify and organize for a bigger victory later because the timing was not right now?
- Brown: That's right. We didn't think we could win it. Of course, my job was to get the biggest possible vote I could get, bipartisan support, to the greatest extent possible, which I did. I made friends all over the state, and I had Republicans and Democrats in the executive positions, and I attended functions like American Legion and Rotary and the opening of the Hilton Hotel down here.

Brown: I was very frankly thinking of running for governor although it meant giving up the attorney general's office. I didn't get a free ride. I'd have to make up my mind four years from then. But I worked for it and the chips worked out well in '58 which we'll reach in our next discussion. I think in the attorney general's thing, I think we ought to look at some of the things that I did as attorney general. I don't know how we can do that though.

Fry: We got a lot of that when I interviewed you the very first time when we were still working on Earl Warren.* However, having said that, I am collecting a lot of questions that I'd like to ask you about your attorney generalship on some of the things that we skipped and also some questions that would get your opinion and assessment of what you did as attorney general and what the state of affairs was in California at that time regarding organized crime once Howser was out of the way and the various criminal activities that went on. I'd like to know more about the whole tidelands oil thing. So I thought maybe we could have a wrap-up session on that just before we go into '58.

Brown: I'm just wondering who would recall that who had been in the office. I'll tell you a fellow who would know a lot about it is Charlie Barrett who's now the chief assistant attorney general. He was there during my attorney generalship; he was a very young deputy in the office.

Fry: Well, he might be able to give me some ideas of what would be valuable to talk about.

Brown: I think that's right.

*See "The Governor's Lawyer," Edmund G. Brown, Sr., in Earl Warren: Fellow Constitutional Officers, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1979.

VIII THE 1956 PRESIDENTIAL CAMPAIGN

[Date of Interview: 15 May 1978]##

Stevenson and Kefauver in the Primary

- Fry: In 1956 (which really started in 1955) it looked like you were a serious candidate for the Senate for a while. On August 26 the newspapers said that your announcement was expected in a little while, that you would run for U.S. Senate in '56. It was going to be versus Kuchel. Finally, on September 26, '55--a month later--you said that you wouldn't run as long as Kuchel was your opponent.
- Brown: Oh, did I say that? I always had a very high regard for Kuchel. I thought he was a fair, moderate, good guy; and I knew I couldn't beat him too, so both those things played a part in it. I may have contemplated it, because I would have had a free ride in '56.
- Fry: In '56 you wound up as head of the Stevenson delegation. There was also a Kefauver delegation, and this time you really swamped them. It was also the year that Dick Richards battled it out with Yorty in the primaries.
- Brown: And Richards won.
- Fry: So you've got it placed?
- Brown: Yes, that's '56.
- Fry: The thing that makes it different from all other elections is that back in '55, on October 13, a telegram was sent to all of the Democratic leaders in the state, signed by about 104 Democrats including yourself, lining up support for Stevenson for president. Do you remember that?
- Brown: Yes, I do.
- Fry: That was so early that I wondered if you could explain why that was done. It was almost like a pre-primary endorsement or something.

Brown: I think there were two reasons. I think there was some reluctance upon the part of Stevenson to run against the very popular Dwight Eisenhower who was still very high in the opinion of the American people, and I don't think Stevenson wanted to take another defeat. I think he knew the difficulties which he faced against Eisenhower. But he wanted to run. We were really enthusiastic about Adlai Stevenson.

I can't think of any candidate that lost that's had as much enthusiasm by the California Democrats as Adlai Stevenson, particularly after the '52 campaign. We thought he made a magnificent campaign. We thought he was a fine man. His speeches were intellectual, they had humor, they had sincerity, and we thought he'd make a great president. I think that was the reason the Democrats in the state felt that way. I don't know who was on the Kefauver delegation, but I think a great many of the Kefauver people had moved over to Adlai Stevenson in '56. I can't remember Kefauver being a serious candidate that year.

Fry: Just before the primary in California, Kefauver had won, in a surprise victory, the Minnesota primary.

Brown: Oh, did he? I didn't recall that. He beat Stevenson there?

Fry: Yes, and so there was some thought that this was going to be the telling primary. And it was, because then Kefauver dropped out of the race when he didn't win California. I thought that maybe one reason that this telegram was sent around was that your hand was being forced because there were other candidates too that were being brought out.

Brown: I can't even remember the names of the other candidates in '56. Jack Kennedy was not a candidate, was he? He was a candidate at the convention, I remember that.

Fry: Right. Humphrey was also a candidate for vice president and Harriman Lehman; they had their show going in the East. In '55 everybody looked possible.

Brown: Yes. I have a very faint recollection of that campaign. I remember the convention itself. I remember some things about that that were very interesting. When we go back to '54, they wanted me to run for governor in '54. Did we go over that last time?

Fry: Yes.

California Delegation; Senate Candidates; CDC Convention

Brown: We got that in there when I turned them down, where I wouldn't run and I ran for re-election. But in '56 I was really a leader of the Stevenson delegation along with Mrs. Heller and Ziffren and a great many Democratic leaders of the state at that time.

Fry: The Kefauver leaders were Clara Shirpser, Tom Carrell, Mike Fanning and Joe DeSilva in '56.

Brown: Well, Clara Shirpser was a nice person, but nobody ever regarded her very highly as a political leader. Joe DeSilva was kind of a wild Indian. He was a fellow that put money into campaigns and then had great support in the Retail Clerks' Union, but it didn't amount to anything. Who were the other two?

Fry: Mike Fanning.

Brown: Mike Fanning was the former postal candidate and he reached his peak at that time, I think. Mike had been the postmaster of Los Angeles and a very likeable guy, but it didn't amount to very much. Who was the fourth?

Fry: Tom Carrell.

Brown: Tom Carrell was an assemblyman from the Los Angeles Valley and always kind of a maverick. I always got along with him fairly well but never really trusted his political integrity, in the sense of his being somewhat of an opportunist.

Fry: I was just curious that since the victory was so lopsided this particular year--

Brown: We beat Kefauver very badly.

Fry: Yes, you did. The results were Stevenson won 62.6 percent of the vote. This was so different from four years before. But I wondered if before that happened, you really thought that it might be a replay of 1952.

Brown: I can't remember.

Fry: Of course, the difference was this year you had the CDC.

Brown: We had the CDC and in addition to that Stevenson we all thought made a magnificent campaign in '52 against a very difficult candidate. The Democrats were at an all-time low in '52. Truman had withdrawn, scandals in the White House; they were minor scandals but they were there. Truman was at the bottom of his popularity as I remember when he withdrew. He was defeated by Kefauver or pretty nearly defeated up in

Brown: New Hampshire, so Kefauver was riding very high in '52. He had come out of the crime investigations, was well known throughout the entire United States. He handled himself very well in those Kefauver investigations and he did a magnificent job of investigating.

But '56 was a completely different picture. We were a united Stevenson group at that time. I, of course, had been re-elected in '54 by an overwhelming vote and was riding high and popular in both political parties. I suppose the height of my political popularity came in '58 when I defeated Knowland by over a million votes.

Fry: In '56 were you aware at all of the divisions of the Richards versus Yorty people, especially the Yorty people down in in southern California?

Brown: Was Richard Richards a state senator at that time, do you remember?

Fry: Yes.

Brown: But Richard Richards was really the darling of the liberals of California, and Yorty was always regarded as a maverick. He was a man that took on people in his own party. We all suspected his real attachment to the Democratic party. He never said anything that was liberal. He was a red-baiter and everything else, so we didn't pay very much attention to him. He did have a following amongst the conservative Democrats who you usually find in Democrats for Republican campaigns after the nomination. Of course, my prejudice against Yorty was great then and great now. I thought that he ran for the Senate against Tommy Kuchel.

Fry: Yes, I think it was. But Kuchel ran twice.

Brown: I think he ran for an unexpired term in '54.

Fry: Then he had to run again in '56.

Brown: Right.

Fry: So Yorty ran against him in '54 and in '56 Richards did. There was a CDC convention to give a pre-primary endorsement to these people. Yorty tried to withdraw from that, and they wouldn't let him withdraw.

Brown: They hated him.

Fry: He didn't get nominated.

Brown: They didn't like him at all. He was very unpopular.

Fry: I was wondering if you remember anything about the CDC convention.

Brown: I don't even remember where it was. Where did they hold it, Fresno?

Fry: Fresno I suppose.

Brown: I have no recollection of that at all.

Fry: Do you remember that this was the time when they didn't have a vote for Adlai? Instead they just passed around a petition and most of the people there signed it. He got a big majority of the signatures, as a petition, but they really didn't have an endorsement vote for Adlai Stevenson.

Brown: Oh, they didn't?

Fry: No. I wanted to ask you why they used that mechanism instead of a vote.

Brown: I can't remember it. This is all twenty-two years ago, so I have no real recollection of it. I can't help you.

Fry: All right. You had James Keene then helping you as you got your campaign under way.

Brown: Jim was a PR guy down here in southern California. He was a man in whom I had confidence who ran the campaigns, a very good man. I appointed his brother later on the superior court bench, Phil Keene.

Fry: How did you go about choosing delegates then for your delegation?

Brown: I think we had a meeting in San Francisco. I dominated it along with the financial people and the labor people, and we just put together a delegation of what we thought were the most important Democrats in the state. We tried to put some congressmen and senators and assemblymen and some Chicanos and some blacks and financial people and local officials and people like that. We tried to get the strongest delegation we possibly could get, and as I remember it was a strong delegation.

Democratic National Convention in Chicago: Kennedy and the Vice-Presidential Nomination

Brown: I remember one thing (and I may forget about it later on so I might as well tell it now), going back on the train to Chicago to the convention--

Fry: You were at the Morrison Hotel.

Brown: The Morrison Hotel, which was a terrible hotel by the way. I can remember that I lost my voice. I was supposed to have the nominating speech, and I couldn't talk. I had lost my voice with the air conditioning on the train. So at the convention the big fight was between Kefauver and Jack Kennedy for the vice presidency; and I can remember very distinctively leaving for the convention; and as we were leaving, by sheer coincidence, Bobby Kennedy and some of the others were driving by and they saw me. So they said, "Come on over to our hotel, and we'll talk to you about the vice presidency." So I went over there, and I became a Jack Kennedy for vice president [man].

Fry: What did you talk about at the hotel?

Brown: Oh, we talked about how we could elect him and who we'd get. We had the San Franciscans and a lot of the Catholics and a lot of other people for young Jack Kennedy for vice president. I always liked Kefauver but I was never on his side. I just didn't think he added much to the ticket. He'd always been very nice to me. As a matter of fact, during the Kefauver investigation when it came out that I had taken a \$20,000 or \$10,000 campaign contribution from Artie Samish, he could have hurt me very badly but he didn't do it. He handled it very, very well. But I really was an Adlai Stevenson devotee, if you can call it that or whatever you want. I was enthusiastic for Adlai. He sold me during the campaign and his speeches had the same effect upon me that Franklin Roosevelt's had in '32 that eventually got me to change from Republican to Democrat.

At the convention, we can skip over it, but I've got to tell you one thing that happened. They had the first vote. It was very close between Kefauver and Kennedy. We had to poll the votes right on the floor of the convention and there was bedlam and Jimmy Roosevelt--I don't know who Jimmy was for; I can't remember. I think Jimmy was probably for Kefauver. But at any rate--

Fry: I thought maybe he was for Kennedy.

Brown: Maybe he was. I wouldn't deny that. But at any rate, on the polling of the floor we'd count the votes. I had a poll person taking it and the thought went through my mind at the convention that Kennedy was a great prospect for the future. [tape interruption: telephone] The thing went through my mind as I was counting the ballots--

Fry: Not the ballots, the polls.

Brown: We were polling orally on the convention floor. The first one I can't remember. It was pretty close between Kefauver and Kennedy. I think there were two or three others in and some of them withdrew, so it became Kefauver and Kennedy. So I announced the votes, say it

Brown: was sixty-two for Kefauver, thirty-two for Kennedy. As a matter of fact, it was probably sixty-two for Kennedy and thirty-two for Kefauver. [chuckles]

Fry: Would that be your polls? [hands papers to Brown] I'm not sure when those polls were taken but maybe it is.

Brown: [pause to examine polls] Yes. This one about fifty to eighteen. That was really false.

Fry: Which one is that?

Brown: The last one, the third one, because we didn't have time. You had to do it very fast. They went through that roll call [clicks fingers] very fast. We couldn't poll and people were standing up. There was great confusion and everything else. So I gave it to Kefauver simply because I was afraid that Stevenson wouldn't win again and with Kennedy on the ticket they'd blame Kennedy being a Catholic for hurting Stevenson, and I wanted Kennedy to remain strong. I haven't told anybody else this before but it was a pure misreading of the votes.

Fry: Do you mean all three of those polls are wrong?

Brown: No, just the last one. The first one was probably pretty true.

Fry: What does that first one say?

Brown: Kefauver, thirty-three; Kennedy, ten and a half; Humphrey, twenty-three and a half. Then Kefauver, thirty-seven and a half; Kennedy, twenty-five. But the last one, you couldn't tell.

Fry: But it looks like Kefauver was ahead in those other two.

Brown: Yes, he was but there was a lot of shifting around in the thing.

Fry: Let me ask you this. I keep hearing that Kennedy really did go over the top in the polling for vice president but they had an electronic counter for the first time and the electronic counter was behind time in counting the votes. They also had, as a stopgap measure, four people in the back of the hall with mechanical counters counting votes and they counted Kennedy as having gone over the top. But they couldn't get a message to anybody or something.

Brown: I never heard this.

Fry: You didn't?

Brown: No. Where'd you hear that?

Fry: It was in one of the interviews that I did recently. It was one of the people who was at the convention in the campaign.

- Brown: That may be true, but the polling was absolute bedlam. California had a big delegation. If you had a small delegation you could do it, but we had a hell of a--
- Fry: You had 212.
- Brown: I don't think we had that many.
- Fry: Well, you had 136 delegates plus 78 alternates, so I guess you had 136 on the floor.
- Brown: Yes, on the floor. To try to count them--this guy would say, "No, I change," and they were moving around and they were watching the poll of the other people and everything else. It was just absolute bedlam, so I just arbitrarily got up and took the microphone and said, "Kefauver this." But my own thought was, give it to Kefauver; Stevenson's not going to win. We'll save Jack Kennedy for four years from now, and, as a matter of fact, it worked out. I don't know whether it would have hurt him if he'd been the vice-presidential candidate or not. But that's actually what happened. Now, how many votes I gave to Kefauver and how many I took away from Kennedy, I haven't any idea.
- Fry: You also had a unit rule that had been voted on at the delegation organization meeting in Monterey on June 23.
- Brown: Oh, did we? I don't know whatever happened to that.
- Fry: I wondered why you didn't use it. It's in the minutes.
- Brown: Oh, is it? I can't tell you. Who was the parliamentarian of our convention? Does it show? I don't think we had any minutes. These convention delegations are pretty loosely-structured things and there was no formal history of the convention itself. There was a lot of pressure, things like that, but my recollection of that convention is not good at all. I remember being there. I remember doing that. I remember thinking all by myself, "I'm not going to let Kennedy take the blame for losing to Stevenson again." Even though I wanted Stevenson again, I didn't think he could ever beat Eisenhower. Eisenhower was still a very popular guy.
- Fry: I have two questions about this polling. Why couldn't you have polled in a caucus earlier and gotten the vote there and made everybody pledge to keep it?
- Brown: We did, but then on the second ballot we had to take another vote. There were other candidates, I imagine, on the first ballot.
- Fry: Yes, there was Humphrey.

Brown: Hubert Humphrey was in there too, and he wasn't getting very, very many votes. So we had to poll from the floor. The fellow that would probably remember that better than anybody else would be Don Bradley. Did you ever talk to Don at all?

Fry: Yes, he and I are going through the papers now too.

Brown: He will remember it better than I would and we may want to talk about some of these things later on. You might want to refresh my recollection.

Fry: All right, we can run back over it. You might be able to explain right now, why didn't the row captain system work on the convention floor? I thought that was how these things were always counted.

Brown: We probably had row captains, but when we got down to the third ballot which was the decisive ballot, we tried. I can remember [saying], "What the hell is going on around here? Will you please keep quiet and let us count them." So I just got an arbitrary figure and I just gave it to them.

I stood up and said, "Sixty-five votes for Kefauver, thirty-five votes for Kennedy." But I could have said, "Sixty-five for Kennedy and thirty-five for Kefauver," and nobody would have known the difference between them, and it would have been too late anyway [laughs] after it was done. I was right in the position to nominate the vice president as far as California was concerned, but it was boss rule of the worst kind or the best kind, whichever way you want to put it.

Fry: I'm intrigued by who else wanted Kennedy. I have a few names down here but I don't know if they're right.

Brown: Tell me.

Fry: Do you want me to give you mine first? [chuckles]

Brown: Yes, because I have no recollection. I think Ellie Heller was for Kennedy.

Fry: And Bill Malone.

Brown: Yes.

Fry: Alan Cranston, Ben Swig, Chet Holifield.

Brown: Yes.

Fry: Peter Odegard, George Killion, and James Roosevelt.

Brown: I can't remember it. Maybe that was it. I haven't seen a list of the delegates.

Fry: I don't have a list of the delegates. I'm sorry. Do you remember who else? Do you remember any of the other people who were there when you visited Kennedy in his hotel room?

Brown: There was Bobby and Jack Kennedy on Kennedy's side and Larry O'Brien and that other fellow that later became his secretary, Ken O'Donnell. They were all there together, all these Boston Irish. I was very sympathetic to them.

I always thought Kefauver was a little bit of a phony. He was drinking very heavily at times. He had a little bottle in his pocket and he'd keep drinking it. That's the thing that finally killed him. He was a very heavy drinker. It got worse. He was an absolute alcoholic at the end, I think. But I knew he was drinking, and everybody was telling me, on the plane and between meetings and things like that. He was a terrific guy with the women too. He'd sleep with anybody who came along the pike, which could either be good or bad as you may look at it from your own objective view.

Fry: There was also a meeting of pro-Kennedy for vice president people at some time like 3:00 in the morning at Ellie Heller's suite before this vote was counted.

Brown: I have a recollection of that. We tried to lobby them but California then, as now, was never a very boss state. Even assuming I was as popular as I say that I was back in '56, I still had no influence on these people and there was an awful lot of anti-Catholicism in 1956 too. It was there in 1960 too from the California delegation. A lot of the people were very active in the Masonic order here and they were really anti-Catholic and Kennedy was just nothing to them. They were affirmatively against him. This was true in '60 too when he got the nomination, because we only got thirty-three votes and there were sixty delegates.

I worked like hell and I was governor and I put all those people on the delegation, but it had to be an independent delegation. We set it up in March. But I'll never forget some of the people that I really felt owed it to me because I put them on just because they were friends of mine and contributed to my campaign.

Fry: How did you lobby for Kennedy before the vote?

Brown: I'd just get hold of my people there and say, "Kennedy is a strong candidate. I'm for him." I mean the fact that the attorney general, the leading Democrat, the one that won both party nominations, is for him, it seems to me that that should have gotten those people moving. What can you say about two good Democrats? They were both good Democrats. Kefauver had made a valiant fight in '52 for the nomination and lost it. It's hard to be against him, and he had his people there too that were all good friends of mine.

Brown: I didn't really twist any arms. I tried to do it by persuasion and argument that Kennedy would be the stronger candidate, coming from an eastern seaboard state to assist Stevenson who was from a mid-western state because those were the only states that we had to carry. But they're not very practical politicians, those people.

Fry: Do you remember when Adlai threw the convention open for the nomination of the vice presidency?

Brown: Yes, I do. As a matter of fact, I remember going to Stevenson's room at the Blackstone Hotel the night before as the head of the delegation. Usually the president would select his own vice presidential candidate. That's always been done before and since. But he decided to be more stimulating and more interesting; he told me he was going to do it but asked me not to report it.

He told us then that he was going to throw it open, and then he called the press in later and made the announcement, which made it a much more exciting convention because Adlai had the Democratic nomination in the bag.

Fry: Did you try to talk him out of it?

Brown: No, no. I think I may have tried to talk to him in accepting Kennedy, but it seemed to me to be a good idea as I remember it to throw it open. It gave us all a chance to participate somewhat in the selection of the vice-presidential candidate, and I always rather favored the delegates making the selection rather than having the president do it, so I didn't try to talk him out of it. I think I tried to lobby for Kennedy but when he told me he was going to do it, that was all right with me too.

Fry: Can you put yourself back in that meeting and remember who else was there?

Brown: Oh, it was a big crowd. Stevenson was surrounded by his camp followers, the people that were--who was the man that was so active. His closest friend, W. McCormick Blair I think it was, who later became ambassador to Denmark and the Philippines and a hell of a nice guy. He was Adlai's very closest personal friend. I was very close to Stevenson though. I was in his room when he was preparing speeches and all that sort of thing and we discussed things with him and everything else. I became very close to him. During the campaign when he came to California, I was right next to him and was really his number one man in California.

Stevenson in California; Platform and Delegation Tussles##

- Fry: Stevenson came out here an awful lot more in '56 than in '52 during the primary, because in '52 he really didn't quite want to run.
- Brown: No, he didn't want to run. We had to really put the--he was sincerely not a candidate. I think he realized the difficulty of winning, and it was only a sense of duty that really compelled him to accept the nomination. He really didn't want it. But he did want it in '56, and he did fight for it. I can remember he made a speech in the '52 campaign which was a great speech at Los Angeles, I think it was [in] Town Hall.
- Fry: Yes, we covered that.
- Brown: I'll never forget Adrienne going over to his room in the St. Francis Hotel and rewriting the speech for him and bringing it up to date. It was a great speech.
- Fry: When you say rewriting it, do you mean actually changing one of Adlai's speeches?
- Brown: He was changing it himself.
- Fry: Oh, she was working with him?
- Brown: She was working with him typing it out as he dictated it. But my recollection of all these things is very vague.
- Fry: I bet you remember the civil rights fight over that plank in the platform at that convention in '56.
- Brown: No, I don't.
- Fry: The Supreme Court had just two years before decided on the--
- Brown: Brown vs. Board of Education, right.
- Fry: So there was a majority version of the plank which was rather mild and then Lehman in New York suggested a minority version of the plank which was a lot stronger and tougher. I thought maybe this had kind of threatened to break apart the California delegation because Elizabeth Snyder was on the national platform committee and the Lehman Amendment was very strong for desegregation. You had Snyder and Richard Richards fighting very hard to get the California delegation to vote on behalf of the minority version.

Brown: Yes, I imagine both of them would because they were both good liberals. But as you are talking to me this afternoon, I have no recollection of even that '56--

Fry: You don't remember what your position was?

Brown: I was for the minority plank, I think.

Fry: There was also polling on the floor for that.

Brown: Oh, was there?

Fry: Yes, and the stories in the books are that Sam Rayburn, who was chairing the whole convention, finally gaveled you down and gave his own answer for what your poll was. [laughs]

Brown: Oh, he did?

Fry: Well, that's what the books say.

Brown: We were a very disheveled delegation--not disheveled, that's not the right word--a very disorganized delegation, as all California delegations are. Unless they're like the one that Willie Brown took to the McGovern delegation where they voted as a unit rule for McGovern, but other than that, the Democrats, those sixty, it was a disgrace the way we divided and fought and everything else and in the caucus that we had, some of the remarks that were made were really rough. Holifield called me a liar and everything else at one of the meetings. He was for Lyndon Johnson. Very, very rough.

Fry: So it got worse from 1956?

Brown: Gee, I'm sorry, but my recollection of this thing is not strong.

Fry: You were also attorney general at this point, and I think you had to make a ruling that came out of that Monterey delegation meeting. You had to give an opinion, because there Elizabeth Snyder tried to put Ziffren out as national committeeman. The Snyder group (in line with this) charged that the delegation was not legal because it had not received its certificate of election from the secretary of state before you met at Monterey.

Brown: So that the caucus selecting Ziffren was illegal?

Fry: Yes, so this had to have an opinion from the attorney general's office. [chuckles]

Brown: Oh, really? How did I hold?

Fry: You held it was legal [laughs], predictably.

Brown: It was probably a political decision that was made, rather than a legal decision. I don't think there was any basis at that time for delegation selection of rules or regulations. It was something that would be decided by the Democratic National Committee at their convention. They're the ones that made the decision. So my opinion would have been that way. Ziffren was very strong with the Democratic National Committee.

The Fall Campaign

Fry: Then whatever you can remember about the campaign itself. They had a kind of a caravan of big barnstorming tours--not a caravan because I think it was done by airplane--but it ended up, I guess, at San Francisco at the Cow Palace or somewhere and you had Governor Leader, Senators Humphrey and Gore, and they barnstormed around fifteen cities in California.

Brown: Yes, I remember that. We flew all around the state--Gore, all of us supporting Adlai Stevenson, but it didn't do any good. We lost it pretty badly in California, didn't we?

Fry: Yes, but you were the only state that showed an improved vote for Adlai Stevenson in the general.

Brown: Oh, was it? Yes, in New York he went down terribly, I remember, and he lost pretty overwhelmingly to Eisenhower. After that I kind of cooled off on Stevenson, not as a man, not as a statesman, not as a possible candidate for the presidency. But the other ingredient of electability I felt was he just didn't have it. Even though I liked him, he couldn't sell himself to the common, ordinary guy that was necessary to win. So that was one of the reasons in '60 that I went for Kennedy. Adlai was very angry with me too.

Fry: Oh, was he?

Brown: Yes, because he felt that I had let him down. But he didn't get into it until very late in '60 and didn't announce, but I just felt that he couldn't be elected. I thought Nixon would beat him. We didn't know, of course, who the nominee would be but it was almost a cinch to be Nixon in '60.

Fry: How did you know Adlai was angry with you?

Brown: Because I talked to him on the phone and he gave me hell in '60.

Fry: He did?

Brown: Yes, he said, "You're a fair weather friend, Pat," or some other nasty remark.

Fry: Did you ever patch this up?

Brown: Oh, yes, we became very close friends during the period that I was governor. I think he came out and campaigned for me. Then after we were both out of office, whenever he came to Los Angeles I'd see him. I visited him when he was the ambassador to the United Nations. As a matter of fact, Bernice stayed all night at his apartment one night. We became very friendly after I became governor. He didn't hold it against me after the convention was over with.

Fry: Do you remember Stevenson's thirty-minute television talks in your campaign? They were sort of the bane of all the California politicians I've talked to so far because they were, I guess, a little boring to everybody. That was when they found out that thirty minutes of a speech on television is too much.

Brown: I don't remember that. I have no recollection of him even making a thirty-minute speech, so you can see how my mind is.

Fry: You probably didn't have a chance yourself to hear it.

Brown: Oh, yes, I probably watched it.

Fry: The other questions that I have are just general questions about how did you think the organizations worked out where you had the volunteer group, CDC, and the formal Democratic party group, both cooperating on this.

Brown: I think they worked pretty closely together in '56. I can't remember any real disunity in '56. We were a very united Democratic party in '56. Who was our candidate for the United States Senate at that time?

Fry: That was Richards.

Brown: Oh, Richards was the candidate in '56. I'll never forget making a speech in '56 and I ended up and I said, "I want you to also vote for my good friend for the United States Senate, Tommy Kuchel," [laughs] and I meant to say Richard Richards. Jeez, one of my big-- Oh, God, it was terrible! But Tommy and I were really very close and it was a Freudian slip, unquestionably. Can you imagine the governor doing that? Oh, my golly! It was an airport. I'll never forget it as long as I live and poor Richards damn near died. Jeez!

- Fry: There was supposed to be a problem of getting liberal support for Adlai in California?
- Brown: Oh, really?
- Fry: He had tempered his views to be more moderate and, of course, Kefauver was more liberal.
- Brown: Well, the people you are talking about--Carrell and Michael Fanning were certainly not liberals. Elizabeth Snyder was a liberal, Richard Richards was a liberal.
- Fry: Richards was for Adlai.
- Brown: Yes, they all were for Adlai.
- Fry: Sometimes these differences are blown up to be more than they really should be, more than they really were at the time. Do you have any idea of the funding and the things like that? Were you in on the fund raising?
- Brown: Oh, yes, I was in all the fund raising. I had to do it. I think we had a lot of difficulty raising much money for Adlai in '56. We didn't have very much money at all. We'd raise money at these big rallies. We had enthusiastic rallies in '56 all over the state but I can't remember what our budget was or anything like that. I don't even know who was--who was the finance chairman, do you remember? Probably Ed Heller.
- Fry: No, but there was a Dollars for Democrats Day and things like that.
- Brown: Yes, Dollars for Democrats. We had to raise it in small amounts and we'd send people around from house to house to try to raise money, a dollar for Democrats, and get a dollar from everybody to participate because we didn't have a great deal of money.
- Fry: Would the AFL-CIO Education and Legislative Committee have any money for presidential candidates? That's the one that deducted a certain amount from each union member's paycheck. They were supposed to get a kitty for campaign contributions.
- Brown: That was national, I think. It was national, and they did give him a lot of money. It was a national one, their committee. Then they probably had some division in the states too. They were really the big contributors in that campaign. Labor. I don't think we had any real Democratic financial people. Of course, the Democratic party in California has always been essentially Jewish money. The white Anglo-Saxon Protestants always put their money into the Republican campaigns. They represent big business. I really think a great many

Brown: of them are anti-Semitic. I think that one of the reasons for the big Jewish money is that they feel that they have an entr  into the Democratic party where they haven't in the Republican party. They're like the blacks. The blacks don't give very much money but they give support because they know the Democrats are much closer to them mentally, physically, and spiritually.

Fry: Are you saying that the Jews didn't give much money in this campaign, the big moneybags?

Brown: I really can't remember. I'd have to see those figures. Gee, I just can't--

Fry: Sometimes we can't find those figures.

Brown: I wonder where they'd be. They'd probably be in the secretary of state's office.

Fry: Some of them are. Do you think they'd be on that report?

Brown: Sure, I think they would. Of course, at that time I don't think they reported items. If I gave five dollars and you gave five thousand, they'd have your name with everybody; just the list of the names of the contributors. But I could tell you the big contributors if I saw the names.

The Effect of Fate: Suez Crisis and Eisenhower Popularity

Fry: Let me see if I've got it down somewhere. [pause to examine notes]
No, I don't have any suggestions either to ask you about on this one.

I do want to ask you about the Suez Crisis and if you had any perceptions at the time of how that was affecting the campaign because that happened just about a week before it was all over. The British were about to roll out their guns in Suez.

Brown: Yes, the British and the French too, weren't they?

Fry: Maybe so.

Brown: The British and the French to take over the Suez Canal because Nasser had seized it and they started moving the troops and Eisenhower moved in and acted very forcefully and stopped the war over there at that time.

Fry: The way this connected to the campaign was that Stevenson had been talking about disarmament and peace issues.

Brown: This hurt him. I think it hurt him. I think it strengthened Eisenhower and weakened Stevenson. It took a zip out of the whole campaign too from a political standpoint because the international crisis was in the headlines rather than the political campaign and that hurt Adlai very, very much. Just like the Cuban crisis helped me in '62 when I went back East and dropped all campaigning, and it looked like we might go to war with Russia. I became the political leader and people voted for me because it was the strong thing to do, and I got away from debates and everything else with Nixon the last week. He might have beat me if that had not happened.

Fry: [chuckles] Sometimes you need these little things from outer space.

Brown: Oh, you need them. You sure did. I can show you so many things where fate played an absolute part in what happened rather than any ability on my part. I can also show you where things occur, events occur, over which man has no control, that hurt me. There are things you can control but there are things you can't control either. I can't remember too many of them but I can remember that very well.

Fry: So that affected the election a little bit. But still, in California Adlai got at the end, 2.4 million votes and Eisenhower got three million votes.

Brown: He only beat him by 600,000?

Fry: Yes. With all the effort and money and organization work and trips out here by Adlai and the marvelous rallies and everything that were held, I just wonder why didn't he win this time?

Brown: Well, if you observe the political campaigns, personality plays a great part in it. Eisenhower, of course, was a very popular president. I mean the students of government will tell you that he was not a very good president. He was rather a stupid politician as far as government was concerned. But Ike, they just loved Ike. He was the general that won the war. As a matter of fact, we tried to get him to run in 1948, a lot of Democrats, and he maintained that popularity. He was never much of a partisan in those days. He didn't seem to be; he was really very partisan with his advisors. Of course, he had a scandal in his office when that governor of Vermont got into trouble (or governor in New Hampshire, I can't think of his name) for accepting a gift from somebody. Eisenhower's speeches were not good, but they loved Ike; that was all there was to it. It was a pure personality cult. Adlai appealed to the intellectuals, but there weren't enough intellectuals.

Fry: Eisenhower had also had a heart attack at this point.

Brown: Oh, did he? I remember that.

Fry: Nixon was his running mate again. Didn't you try to point out that people would be voting for Nixon?

Brown: I think we did, but you don't have much effect. The vice-presidential candidate really doesn't help or hurt very much. They have helped or hurt. Johnson was very helpful to Kennedy in '60. Without Johnson, Kennedy never would have won. But Eisenhower dominated the picture to such an extent that we weren't thinking of the vice president even though he had had this heart attack. Stevenson, as I told you, when he got beaten so badly in New York, in some of the liberal states by Eisenhower I just said, "This guy can't win." Even though I liked him, it was like de gustibus non est disputadam est--there's no disputing tastes. I just began to be convinced that I couldn't convince people to support him.

Fry: I want to ask you one more thing. Where was Harry Truman in regard to California during this?

Brown: I think he came out and campaigned for Stevenson, although he never thought very much of Stevenson I don't think. I think he thought he was too effete for the presidency. Truman was a hard-hitting guy. He didn't like Kefauver either though I don't think.

Fry: One writer mentioned in passing Truman's anti-Adlai posture, and I couldn't remember either what Truman had or had not done.

Brown: He came out and campaigned for the Democratic ticket, but he never really had his heart in Stevenson although he was the one that really got Stevenson nominated in '52. He really went in there. He was for Stevenson right from the very beginning if you remember. He didn't like Kefauver.

Fry: Were you with Truman any when he came out?

Brown: Oh, yes, I was with Truman every time he came out. Truman and I were very good friends. He liked me very much despite this letter I wrote to Roosevelt back in '48. But when I beat Nixon, that made me the kingpin!

Fry: This was before that, but I wondered if he had talked to you any about Adlai Stevenson?

Brown: I can't remember anything he said about Adlai. Truman was not the kind of a guy that would take on anybody or share confidences with me about misgivings of candidates. [tape interruption: telephone]

Fry: We were winding up on the '56 campaign.

Brown: Oh, we're still on the '56 campaign! [laughs]

New Democratic Faces

Fry: I want to ask you about some emerging figures, Pat, because this is where you discovered Dutton, I think.

Brown: No, I think I discovered Dutton in '53 or '54. I talked to the Diogenes Club in Los Angeles. It was a group of brilliant young lawyers and I made one of the best speeches of my life. I was in rare form and I impressed all these young lawyers and Dutton began to--if it were a woman I would say she fell in love with me. He began sending me memos about things I should do in politics and recommending that I run for governor and things like that. He became a very strong supporter but I'm sure that was '54 or '55.

Fry: Okay. Then in '56 he was Stevenson's southern California man.

Brown: Oh, was he? Well, I put him in there. I brought him into the campaign. He was very active and did a very good job and Stevenson had a great deal of confidence in him too.

Fry: Do you remember anyone else that you brought in to set up with him?

Brown: I don't know whether Fred knew Dick Tuck then. We got Warren Christopher who is now undersecretary of state. There were a group of young Democrats. You had it on those names you sent me here.

Fry: Dick Tuck was forging badges at the convention in '56. [chuckles]

Brown: That's par for the course! He came over to see me the other day.

Fry: Herb Phillips in his book on this '56 campaign, wrote that at the end of it "the California political scene was strewn with Democratic wreckage, but Brown, to all intents and purposes, owned the wreck."*

Brown: [laughs] That's very interesting.

Fry: So with that we can move on to '58.

*Big Wayward Girl, Doubleday, 1968, p. 175.

PAT BROWN ON THE CAMPAIGN TRAIL



Signing autographs at a Giants game played in Seals Stadium, San Francisco, 1958



Swearing to help raise Dollars for Democrats with Elizabeth Smith Gatov

Attention-getter.
Variation on the
political bumper
sticker and window
card, ca. 1962



With singer Lena Horne



With Jack Shelley, Archbishop McGucken (Catholic Bishop of San Francisco)

IX THE 1958 ELECTION; FIRST YEARS AS GOVERNOR

Right-to-Work Issue; Fundraisers

Brown: Now, all these people I got into the campaign that you see here in this '57 southern California list--the names I remember best are Joe Wyatt and Steve Zetterberg and Alexander Pope, Fred Dutton, Warren Christopher--these were all the people that were active in the campaign.

Fry: What is that a list of?

Brown: This is a list of my people in '58. But they were all people that I cultivated in '56, so you just take a look at this early meeting for Pat Brown's '58 gubernatorial campaign, a list of suggested names for a political dinner to be held January 18, 1958.

Fry: So you were organizing well for that.

Brown: Yes.

Fry: Did I sent you that memo on November 14th to Fred Dutton from Roger Kent?

Brown: Yes.

Fry: Where Roger Kent lays out four things to think about in the campaign, especially how to deal with what they see as the Knowland strategy.

Brown: This was a letter?

Fry: Yes, it was a letter. [reads] He says, "We all see the Knowland strategy which is to throw away the labor union vote which he can't get anyway and play for an underdog position as one 'who has been marked for liquidation by the labor leaders.' Dick thinks, and I agree with him"--Dick? Who would that be?

Brown: Dick Tuck probably.

Fry: Okay. [continues reading] "And I agree with him that we might be able to switch this around to his having attacked labor in the first instance and that their reaction is a natural and normal one." [pause]

Brown: Where did you dig this letter up? It's very interesting. Probably Roger Kent's papers.

Fry: Roger Kent's papers, yes.

Brown: Of course, that was the best thing that ever happened to me, to have a right-to-work campaign because the money just poured in from the labor leaders. [chuckles] It was like manna from heaven. We didn't have to worry about fundraising drives or anything. They just put it in. It was really something. In buckets! And I went all out. There was no equivocation on it with me. I just made the decision to fight right-to-work and, of course, it was badly defeated.

Fry: On these names that we were talking about on the list for the dinner January 8, are these people too that were possible sources of money primarily?

Brown: Yes. Well, the people in the south were not particularly money-raisers. There weren't any of them in this group that were money-raisers. But they were all very intelligent leaders. Most of them were lawyers. I think every one is a lawyer in here.

Fry: So that's for their influence primarily.

Brown: For their influence and reputation, particularly among young lawyers.

Now, the people in northern California--Killion, Malone, Heller, Swig, Marx, Blumenfeld, Gilmore, Eichler, Sobel, North, Schuman--they were all primary fundraisers. Of course, they were people I grew up with and supported me for district attorney and attorney general. It was a very close, personal relationship with all those people.

Fry: Who were your southern California moneybags?

Brown: In southern California, the principal guy to raise money in the '58 campaign was probably Bill O'Connor, William B. O'Connor. I don't see why his name isn't on that list. He was my chief deputy attorney general.

Fry: And he was a good fundraiser.

Brown: Oh, yes, he brought me in with Ed Pauley. Ed Pauley was one of the big fundraisers although Pauley had been appointed by Knight to the board of regents so he was friendly to Goodie. A great many people wanted me to run for the United States Senator in '58 rather than run for governor. Did you know that?

Fry: Yes. I thought there for a while you were going to.

Brown: No. As a matter of fact, the general feeling was that I didn't know what I was going to do.

Senate Campaign Commitments; Republican Campaign Scramble

Brown: But as a matter of fact, in April of 1957 or May (I think I told you about this) I was back in Washington when I was attorney general. I had a meeting with the congressional delegation and I said to them, "I'm willing to run for governor and give up the attorney generalship but I want one of you people if I do that to give up your congressional seat and to run for the United States Senate. I'll take any one of you congressmen. It doesn't make a particle of difference which one of you will give up the congressional seat and run for the Senate and let me run for governor. I'll do it. I'll make an unequivocal commitment to you people at this meeting."

God, there was deathlike silence. Nobody would give up their congressional seat. So I went back to my hotel room at the Statler Hotel, and I got a call from Clair Engle and Clair said, "Can I come over to see you?" I said, "Yes." He said, "I've had enough of Congress. I can't get much further. I'm willing to give up my congressional seat and I'll run if you'll support me for the United States Senate."

We shook hands and I said, "That's a deal. But don't tell anybody about it. This is just between you and me until we make the announcement." You want to remember that at this time Knowland had already stated that he was not going to be a candidate for the Senate again. So the Senate was a wide-open seat, and I as attorney general could have gone to the Senate. So we shook hands on it. So way back in-- it could have been May 1957, it could have been April 1957--we entered into a deal that he would run for the Senate and I would run for governor. That night, after he said that, after we shook hands on it, I thought to myself, "This is kind of silly. We've got an open seat for the Senate and I'll have a tough campaign for governor against either Knowland or Knight." I said, "I think I'll run for the Senate. So I called Clair up the next morning. I couldn't sleep. I said, "Can I see you?" He said, "Sure."

Brown: So I went down to his congressional office and I said, "Clair, I've changed my mind. I want to run for the--"

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Brown: I said, "I want you to run for governor and I'll run for Senate. We'll just reverse it." He said, "Oh, no. We made a deal. It's all set. I'm not going to change." I begged him to change and he said, "No. I won't do it. You made a deal and I expect you to live up to it."

I said, "All right, that's it." So I was stuck! [laughs] So I had to run for the governorship. But this was way back, because we announced in October. I announced on October 30 when the first snow fell on the Sierra. That was one that Warren used to use and I copied it. At that time I didn't know whether we'd have Knight or Knowland, and then Vice President Nixon went back there and they made that deal. Nixon got Knight to withdraw as a candidate for governor and run for the Senate. He did this by promising to help with campaign contributions. This left the field to Knowland in the governor's race.

But that was an interesting thing, and Clair and I always got along very well after that too. He never appointed federal judges while he was United States Senator without getting my approval. It was probably the president that demanded that.

Fry: You just threw my favorite theory in a cocked hat on that. I thought the reason that Clair Engle had won and was pushed by you and others in 1956 to the chairmanship of the Democratic party was that you wanted to give him exposure because you already had it planned that he'd run for Senate in '58.

Brown: No, not in '56. I hadn't made up my mind to run for governor. This was in '57 that we did this because the campaign was in '58 and it was in '57 that we made this deal. By the way, I got a beautiful letter from my son. Have you ever seen that letter recommending that I run for the United States Senate?

Fry: Yes.

Brown: It was really a beautiful letter.

Fry: At what point in all this did that arrive? Did this influence you?

Brown: This was sometime after--he went into the order--when he entered it I remember I was going away to the Democratic convention, so it must have been in '56. I wasn't able to say good-bye to him. He was leaving to enter the novitiate and I was going back to Chicago. I always felt kind of badly about not saying good-bye to my son because it was like getting married, getting married to the church.

Brown: So he wrote this letter to me; he didn't know I'd made up my mind. I didn't tell anybody I had already made the deal with Engle to run for governor. But I want you to see that letter. It always amazed me that he had so much perception of the job. I may release that letter sometime during the campaign because it's such a nice letter that I was kind of saving it for posterity some way along the line.

Fry: It is an impressive letter. He seemed to see a lot of the complexities of the situation as well as your future.

Brown: Yes, he thought that I had a greater opportunity to serve God (he used that term). I'm sure I have that letter in here. I have two big files of things that I've been promising myself to look at, but I get home at night and I'm so damned tired that all I want to do is watch something silly on television. My eyes get so tired when I read and I get all this interesting reading matter that I'm working on too.

Fry: I read that letter in your office once when I was up there. What about that trip to Hawaii that I keep hearing about?

Brown: That was in '52.

Fry: No, there was one in August of '57. You were in Hawaii and I think Pauley was there. I'm not sure of any of this but I think Pauley was there and Pauley wanted to talk you out of running for the Senate and into running for governor.

Brown: I think it was just the opposite because he was going to be for Knight. Ben Swig and Ed Pauley both urged me to run for the Senate rather than the governorship and told me they'd support me. I think they both told Goodie Knight that they'd get me out of the campaign for governor. I really feel that way because both of them were very persistent. They were big contributors to my campaign.

Fry: Do you remember Pauley putting pressure on you in Hawaii?

Brown: Oh, yes. Bernice and I went over with our family. We spent time on Coconut Island. That's an island that he owned over there. He was never unpleasant about it, but he was always a very persistent guy. But I'd made the deal. I was locked into the governorship. If I'm a vacillator, I couldn't vacillate any more because I had made the deal with Engle. There's one thing that I remembered from a book that I read by Jim Farley and it went on to say, "Never give your word or give it after very careful consideration. [raps fist] But once you've given it, even though it turns out bad, live up to it." That was a rule of politics that I never deviated from (although people thought I did on occasions), but I was very much aware of it.

Fry: Then you came back to the mainland, and at the same time you and Engle were both diddling with running for the Senate I guess Cranston was too. Did you have any talks with Cranston?

Brown: Oh, yes. Cranston wanted to run for the Senate, and I said to him, "I'm sorry, Alan. I've already committed myself to Clair and you're going to break up the party. Run for controller. We'll elect the whole ticket."

Alan was very popular with the CDC and the liberals, so he agreed to do it. I made a commitment to him then. I said to him, "If I ever have an opportunity as governor, if I'm elected, to put you in the Senate I will do it."

So in 1964 when Clair Engle died or was very sick, I really wanted to run for the Senate then. I'd been governor for six years. I had a free ride. I had two more years to go. I wanted to run for the Senate, but I had made that commitment to Alan Cranston. So I had to support him. You remember I supported Alan over Stanley Mosk who wanted to run and two or three others. But Alan was my man. He's never forgotten it either, though he didn't support me in '64 on my withholding tax which always annoyed me. As controller he came out with the statement that withholding was bad, but we'll get to that later on when we get to the governorship.

Fry: According to the chronology then, in September George Christopher announced for the Senate. At that point I guess it looked like he was the main person to run against?

Brown: To run against Clair Engle, yes. But at that time, Knight and Knowland were still sparring for the governorship.

Fry: Yes, before Knowland announced were you aware that Knowland was thinking about entering the governor's race?

Brown: No, I thought that it would be a drag-out fight between Knowland and Knight, which would help me in the campaign for governor anyway, so it didn't make any difference to me.

Fry: Then you did know that Knowland might run for governor for quite a while before?

Brown: Oh, yes, he said he was not going to run for the Senate. Everybody knew he was going to run for governor. It was a foregone conclusion that he was going to run for governor. It threw Knight into a panic which he never recovered from.

Fry: Then sometime in October Knowland did announce for governor.

Brown: Within a week or two weeks later, Knight pulled out of it and ran for the Senate. They walked out of a meeting in Nixon's office.

Fry: Yes, so what's your explanation of the Big Switch?

Brown: Kyle Palmer and Nixon and all the moneybags were going behind Knowland. They didn't like Knight anyway because Knight had gotten very friendly with labor. So they just pulled the rug from under Knight. Told him they wouldn't give him any money, so Knight really had to pull out. Nixon assured him that he'd give him lots of support and lots of money for the United States Senate. But my campaign was so overwhelming with the support, money, and labor. I'd been a good attorney general (if I do sound fat-headed when I say it) and I had a lot of Republican support in the primaries. I got about 25 or 30 percent of the Republican support against Bill Knowland. I got all the moderates in that campaign against Bill Knowland, who was really a nice guy but a stuffed shirt.

Fry: How did you go about picking the people really close to you to help with that campaign?

Brown: When you get into a political campaign like this, you don't run sui sponti. By that I mean you don't run like a fountain bursting out on its own spontaneously. You've developed it over a period of years. I've never had such united Democratic support as I had in that campaign for governor, financially and otherwise--labor, all the financial people, and everything else. It was truly a great letter. I loved it.

Fry: I wanted you to read this from a book called States in Crisis.* [pause while Brown reads letter] What do you think about this paragraph that explains why you ran?

Brown: [reads paragraph] Well, that's not true, the ultimatum. As I told you before, we already made up our mind. It was a lead-pipe cinch. I may have flown over to Coconut Island but not to get the support of Pauley. I knew what I was going to do, and none of these people could influence me in the slightest degree.

Fry: By the way, did you get Pauley's support?

*James Reichley, University of North Carolina Press, 1964, p. 581.

Brown: Oh, yes, I got it eventually. But it was kind of quiet support. Of course, he was relieved when Knight got out of the governorship because that left him clear. [pause to read further] Yes, but that part here where it said, "An ultimatum was served on the attorney general giving him until September to make up his mind," I had made up my mind a long time before that.

Fry: Okay, it's nice to get these things cleared up.

Brown: Yes, for history. But I didn't let anybody know about it. I don't know how I ever kept my mouth shut because I have a hell of a time keeping my mouth shut. [chuckles] You see, my son wrote the letter to me too because he knew I was going to run for governor too and that came before that story there.

Fry: You haven't said what the impact of Jerry's letter was on you. Did you take your upstart son's advice seriously? After all, he was pretty young then.

Brown: No, I didn't. I was bound. My feet were planted in concrete because I had made that deal with Engle, and there was another thing. I had eight years as attorney general which gave me the maximum pension. At that time I think it was age sixty-two I would have gotten a pension of 40 percent of the attorney general's salary, whatever it was.

Personal Financial Concerns

Brown: I was always kind of conservative about money, about the future. I had no money other than my salary. I had no income from other sources and Bernice's folks didn't have any (they were both dead) and my folks didn't have any. So we had nothing and I still had Kathleen to raise; and to go back into the law business after say in '58 if I were defeated for governor, even though I was only fifty-one years of age, it was not easy. You're on the public payroll and then to start a new law office, because you're more of an administrator than a lawyer anyway. But I had gotten commitments from nine or ten people before I ran for governor that if I were defeated for governor, that they would put me on retainer for two or three years, a couple of people.

I went to them very frankly and bluntly, men like Ben Swig and Cyril Magnin and three or four others. I said, "Now, gentlemen, I'm attorney general. I can be re-elected attorney general whenever I want. I'm going to run for governor. There's no question about

Brown: it, but I want you to share my life's problems with me if I'm defeated. I'm a good lawyer. I'll go to work for a good law firm. You won't be giving me anything at all, but I would appreciate retainers." And I got commitments for retainers from five or six of my old friends to put me on there.

Fry: By retainer do you mean for you to do their legal work?

Brown: Wherever I went, they would retain me. The night I was defeated for governor Ben Swig said, "I'll give you whatever firm you go with, San Francisco or Los Angeles, I'll give you \$10,000 a year for five years."

Fry: In business?

Brown: As a lawyer, and I got one from a fellow named Joe Albritton, who agreed to pay me \$5,000 a year for five years. So I had \$50,000 in retainers, but they didn't all last. Gene Wyman got three or four for me. This was after I was defeated, not before. But only two of them lived up to it, Albritton and Ben Swig.

I was able to go to my firm (Ball, Hart and Hunt at that time) and say to them, "Gentlemen, if I come into the firm I bring with me \$50,000 in retainers," which increased my opportunity to obtain a position with a good law firm. When I joined the law firm they were only paying me \$50,000 a year; I'm getting more than that now. But that gave me solace. When you get older in politics, you get defeated, the friends that you have when you're in office, you'd be surprised how few invite you back to their home and things like that.

Some of the people for whom you do the most treat you the poorest, like in this campaign for governor with Jerry now. Some of the people have really made fortunes out of things that I did for them as governor without any promise of any material reward of any kind. They had been in the campaign and they were able people--savings and loans and banks and new charters, new branches. I didn't give it to them. The Savings and Loan Commissioner gave it to them.

Fry: In the way of chartering new banks?

Brown: New banks and places like that. Well, now with Jerry's campaign, a lot of them say, "He never returns my calls." That's just an excuse. They're just tight with their money. They ought to, in appreciation for what I did, unless they don't like Jerry (some of them really don't) I feel they should help Jerry.

Fry: Do you really think Jerry returns their calls?

Brown: No, I don't think he does, but you can't as governor. I had a little bit better system. I had Adrienne who was with me and people got to know her because she was my secretary for seven years district attorney, eight years as attorney general. So if you were a close friend of mine, you'd call up and she'd call you back and say, "The governor's leaving for Timbuktu tomorrow morning at 8:00 and he won't be able to get back your call. Is there anything I can do?"

She knew enough about it and Jerry never cultivated anybody like that. He gets so intense upon things, one subject, where I've always had a lot of balls in the air. Jerry won't do that, although he's getting better.

Fry: [chuckles] I guess you have to.

Brown: You have to get better, right.

Fry: But that's kind of interesting about the fact that your I.O.U.'s aren't necessarily repaid after you're out of office.

Brown: Oh, no! I get so angry at some of these people that I was really nice to, sometimes I'd appoint their sons judges or something like that, and I really feel that they certainly don't owe me anything because I really try to do it on merit. But whatever the reason for it is, I did things for them and I think they should have helped.

I want to write a letter of thanks to John McEnerny.

Preliminary Strategies

Fry: Also Peter Odegard wanted to run for the Senate. Are you the one who talked him out of it?

Brown: No, Peter Odegard wanted to run for the Senate in--what year did he want it? He was a candidate, I think, in '56. There was a tough fight. Was it him and Yorty? That was the one with Yorty. Did he want to run again?

Fry: Yes, according to my notes here.

Brown: Yes, I think he did want to run against Clair Engle but we shoved him aside.

Fry: He announced, I think, in December and some people felt if he had announced a month or two earlier he might really have--

Brown: Given Engle some problems.

Fry: Gotten the CDC nomination.

Brown: Yes, he made a fiery speech at the CDC convention. Odegard was a good man, a good political scientist.

Fry: I have down here as your campaign person, Fred Dutton as state director of your campaign. Joe Ball was chairman for the south. Was that kind of an honorary position?

Brown: Joe [was] never active. He participated in meetings and things and Joe was very popular. But he was not a political strategist by any means. He's just a man of great reputation.

Fry: Down here in the south you also had Jess Unruh and Susie Clifton out doing things.

Brown: Yes, both of them worked like hell for me in that campaign. Jess was very active. He was an assemblyman.

Fry: Yes, just starting out I guess on the statewide thing.

Brown: Was he elected when I was elected or was he elected two years before? I can't remember. I think he was before.

Fry: Two years before.

Brown: Yes, I think so too. In the assembly, the minority floor leader in the assembly was Vince Thomas. Vince and I were always figuring out ways to make it difficult for the Republicans in the legislature, and Vince was very good.

Fry: In your campaign?

Brown: Yes.

Fry: What was he doing?

Brown: He was an assemblyman from San Pedro.

Fry: Yes, but I mean in your campaign?

Brown: Oh, he didn't do very much in the campaign but in the legislature, he was the chairman of the Democratic minority and we'd figure out things to vote against, proposals of Governor Knight and other things to embarrass the Republican party. As a matter of fact, he didn't have a chance to--like water, for example. Knight had a constitutional

Brown: amendment which wasn't any good anyway, but we just killed it because we wanted to save it for me. We'd laugh about how we'd thwart Knight in the things he was trying to do. Knight was not a bad guy.

Then I got a report from two people some time (maybe it was in '56 or '57) that there were things going on in the mental hospital at Camarillo; vicious attacks, bad conditions and everything else. So I put two undercover men in, got them jobs at Camarillo, and we came out with a blasting report of conditions in the mental hospitals which hurt Knight, too. I think I told him before it came out, but I didn't tell him that I had anybody in there. I told him afterwards so he wasn't surprised about it, because I didn't want to hurt my own client for governor, but it was still politics. The attorney general can use politics to a fare-thee-well.

Fry: What did Susie Clifton do in the campaign?

Brown: Susie was kind of a main braintruster in the campaign and organizer. She was very, very good. She was very loyal. She had been in Democratic campaigns going back to the Upton Sinclair days, and she was a smart lady, very smart.

Fry: Was she mainly a fundraiser or an organizer?

Brown: Organizer, but she also raised money; not a hell of a lot, but she raised money.

Fry: Let's go on the CDC meeting then. You didn't stay very long, according to my notes.

Brown: Really? I think the CDC, they were so liberal that they frightened you. They'd come out with recognition of Red China and a lot of other things that are not so liberal now but they were--I wanted them and needed them and they were for me and they really helped mightily in the campaign. Who was the head of the CDC then?

Fry: It was Wyatt.

Brown: Joe Wyatt, yes. Joe was parliamentarian at all of our conventions too, going back. I think [in] '52 and '56. A very interesting guy. A fellow I like very much. I put him on the State Personnel Board.

Fry: There were a lot of really hot competitors that you might have had to take sides on if you had stuck around at the CDC convention.

Brown: Oh, yes, they lived on controversy and issues and things, and if I sat around there I would have been in the middle of all their fights. But I have no recollection of leaving early. I'm sure that I circled around and slapped backs and kissed babies and kissed women and things like that.

Fry: You got the CDC endorsement, of course.

Brown: Oh, yes.

Fry: I thought maybe the Engle-Odegard flap had been something that might have put you in a--

Brown: What happened? Engle got it.

Fry: Engle got it, sure.

Brown: Engle was never regarded as much of a--what would you say?--much of a liberal. He was a pretty moderate guy. He and I worked very well together in the Congress on water things. I had a deep respect for his knowledge of water. He was a chairman of the interior and insular affairs committee, the committee that handled all the water projects in the state, so he and I got along very, very well. As attorney general we worked on things together. It was a very close relationship there.

Fry: Did you ever put your campaign with his in this '58 campaign?

Brown: No, we ran separate campaigns. He had Don Bradley as his braintruster, and I had Fred Dutton. But we appeared at CDC meetings together and Democratic meetings all over the state. But we really conducted two separate campaigns. We raised our own money and had different supporters and things like that.

Fry: I think I read that actually your campaign had gotten off the ground first and that you had been able to gather up a few of the fundraisers.

Brown: I probably got more of the money than Clair. Clair appealed to a different group of people than I did too. We had the congressional people all helping him, all the congressmen, which strengthened our whole ticket because we had all the Democratic congressmen throughout the state.

Fry: Did you have the legislators helping you?

Brown: I had all the senators and assemblymen I think, almost unanimous--Democratic.

Observations of the Knowland Campaign

Brown: I had some Republicans too that we didn't bring out but they were helping me secretly.

Fry: How do they help you secretly in a campaign?

Brown: Well, they did. They'd give me dope on things that were going on. I can't remember who they were now, but there were two or three of the Republicans that didn't like Knowland at all. Some of them were angry at them because of Knight, and Mrs. Knight hated Knowland and she hated Nixon. There was awful hatred in that Republican party. Everybody hated everybody else. It was funny. I'd see Mrs. Knight at meetings and she'd say, "I'm going to vote for you."

Fry: Do you think she did?

Brown: Sure, I think she did.

Fry: Mrs. Knowland came out with a blast.

Brown: Oh, she came out with a stupid blast that we just used. We murdered her on it. I can't remember what it was.

Fry: It was against Knight.

Brown: Oh, yes, she came out against Knight.

Fry: She said he had a spaghetti spine in her letter to 200 Republican leaders.

Brown: She was a very nervous woman. We were at dinner. Knowland and I debated at a meeting for the California newspaper publishers down in Ventura County at the Ojai Inn one night and she was sitting next to Bill. I thought she was going to have a fit or something she was so nervous when I was speaking. [chuckles] I thought she was going to throw something at me.

Fry: Do you think that her campaign for Knowland, because Knowland was only here for two weeks campaigning--

Brown: She went around in a bus for him campaigning.

Fry: Do you think that hindered Knowland even further?

Brown: No, but everybody knew she was a very nervous woman and he was back there in the Senate. He didn't campaign very much. I think he came back the last month and campaigned pretty hard, but he didn't do himself any good. He was not a particularly good speaker. He was a ponderous talker and all he'd talk about was right-to-work and I can't remember the other issues. I haven't seen my speeches for that campaign. By the way, I want to call my office about this dinner I'm going to. [tape interruption]

Fry: I noticed that in the newspapers though that you had pretty good press support inside California for this even though Time magazine was nasty to you. Were you responsible for getting the newspaper support in '58?

Brown: A lot of it. Oh, yes, I got a lot of it.

Fry: Even the L.A. Times said something critical about Knowland.

Brown: Oh, did they?

Fry: And the Chronicle withdrew their support. [Brown goes through papers]

Attorney General Campaign; Jesse Unruh's Efforts

Fry: The other thing is that you were leaving the attorney general's office, and I wondered who you wanted--

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Fry: Okay, you supported Mosk?

Brown: Oh, yes, he was our candidate for attorney general. We had a whole ticket. We finally got hold of--the ticket was Cranston for controller, Brown for governor, Glenn Anderson for lieutenant governor. I can't remember who was our candidate for secretary of state. Bert Betts was treasurer. That's the one we lost.

Fry: Henry Lopez.

Brown: Hank Lopez, we lost him to the old guy who was secretary state for so long. Who was it?

Fry: Frank Jordan.

Brown: Yes, Frank Jordan.

Fry: But Lopez had a pretty good race.

Brown: It was very close.

Fry: A close race, yes: 1.6 million to Jordan's 1.9 million. Bob McCarthy also ran as attorney general in the primary so I thought maybe that would put you in--

Brown: No. I don't know whether I got into it. Bob was an old friend of mine, and I gave him a job later as director of Motor Vehicles. Stanley was our candidate and he was the one that we'd agreed upon.

Brown: We had a complete ticket all settled. It was balanced by geography and everything else. We put together a ticket. We didn't call it a package deal though, like we did in '46; it was so disastrous.

Fry: Did you have any impressions of Pat Hillings and Caspar Weinberger who were on the Republican side of the attorney general's race?

Brown: Weinberger won it, didn't he?

Fry: No, I think Pat Hillings did.

Brown: Hillings beat Caspar Weinberger. Yes, he was from the south so he got it. But I always thought Pat Hillings was somewhat of a horse's rosette. Caspar Weinberger was smart as hell, but a real right-wing conservative. I mean a fellow without a touch of compassion in his being. Of course, later during the Nixon administration he was secretary of health, education and welfare, I think and then became director of budget. He's smart. He was the director of finance too under Reagan. Not as right wing as the others, but still not a compassionate man. Philosophically I would say that he was a good Republican.

George Miller is a man whose judgment I respected very much and had worked with Weinberger in the legislature and had thought that --Senator Miller--he thought that Weinberger was crazy. I mean he hated him with a passion and I never could understand why. As a matter of fact, Cap Weinberger's father when I was a young lawyer had offered me a job which I pretty nearly took. Weinberger, of course, was a Jewish name but his father was a convert to I think Christian Science. I think he was a Christian Scientist, so Weinberger was not Jewish.

Fry: Then I'd like to get you to talk to me about Unruh. There are some memos where he had all the county chairmen appointed down here by March 8th and so forth, and he felt that there was too much money being spent on his paid staff, but he needed more secretaries and all this sort of thing. Was that kind of below you? Would you have had any--

Brown: I was not close to Unruh in the campaign. I was aware of Unruh but Unruh didn't really mean anything to me then. He was just another guy in the '58 campaign. As I remember it, he was a very effective worker and did a good job but he was really below the top level of people in the campaign. He was not part of the strategy or anything like that.

Fry: Do you remember him working on surveys of the black community here?

Brown: I think I do, yes. He was from Englewood and, of course, he knew southern California politics. Unruh was always a good politician, but I didn't appreciate his greatness (and I say that without being sarcastic) until after he became Speaker. During the first two years of my administration when he was in the legislature, I grew to know him and like him and respected him very, very much.

The first four years of my governorship, he was a very strong ally and a very strong supporter and we got along very, very well. But it was always my opinion that the job as Speaker, you have all of these assemblymen coming to you, you have all those people coming to you for favors, for legislation, and it inflates the Speaker's ego. He gets very flattered, much more than a governor, because you're--

Fry: Fawned over? [laughs]

Brown: You're fawned over and you're wined and dined and you have great power. The Speaker has really tremendous power over legislation, more than the governor in many ways. The governor can veto, he can propose, but the Speaker, who controls the votes by the appointments he makes and things, can have a very strong effect on those things.

Fry: He does have some reports in your papers on the breakdown of the black community.

Brown: Oh, yes, he did an awfully good job for me, and in '62 he handled the voter registration. I can remember Tom Bradley turning over \$100,000 in cash to him. I don't know where the money came from. I can't tell you where it came from, but we turned over cash to him to pay black workers and Chicanos to get out the vote in their communities; just gave them money to get out the vote, with bonuses for those who got the biggest vote. He did a very, very effective job.

Fry: In this campaign, did Howard Ahmanson (this is in a book called Ronnie and Jessie*), did Howard Ahmanson, who was a liberal Republican, pay Unruh a \$10,000 annual salary for heading up your southern California campaign?

Brown: He could have. I didn't know anything about it if he did, but he could have, because Ahmanson got mad at Knowland. Because Knight had appointed him [Ahmanson] as chairman, you know [of the Republican

*Lou Cannon, Doubleday, 1969.

Brown: State Central Committee]. He was a strong Knight man. A lot of the Knight forces were with me in the campaign, as I told you. They got mad at Knowland for forcing Goodie out of the campaign.

Fry: That's certainly a tangible evidence.

Brown: Right, if he did it. I don't know that. I never heard that until you just said it to me, but I could well believe it.

Propositions, Speeches, and Issues

Fry: Did you have any cause to speak out and actually take some position for or against those three main propositions?

Brown: What were they?

Fry: One was right-to-work [Proposition 18].

Brown: I hit that every place I went.

Fry: Another was Proposition 16 on taxation of parochial schools and private schools.

Brown: I don't think I got into that.

Fry: That came out two to one against. Maybe your Catholicism made it--

Brown: Yes, but my Catholicism would not have had me commit a political error like supporting parochial schools or anything. I wanted to be elected governor and I don't think I took a position on that. I don't think I've ever taken a position on this. The parochial schools themselves are not taxed. I think they wanted to improve their property--parking lots and things like that.

Fry: Yes, it was a threat to remove their tax exemption.

Brown: Oh, to remove their tax exemption. Then I would have been against that.

Fry: It brought out the Catholics to vote in droves.

Brown: That helped me too. I remember that. But I would have been opposed to removing the tax exemption from any charitable institution. I'm sure I came out against that. What was the other one?

Fry: The other one was a proposition put on to bring out more opposition to Proposition 18. It was to lower the sales tax, the threat being to also raise the corporate taxes thereby. It was to drain some of the money from Proposition 18, the right-to-work.

Brown: Oh, the labor people probably put it on.

Fry: The labor people put [Proposition] 17 on in order to drain money off from 18.

Brown: God, my recollection on that! I'd have to go back and read the history of that '58 campaign.

Fry: Oh, don't read the history. You'd just tell me what you read!

Brown: Well, it would refresh my recollection about other things. But the '58 campaign I really ran around the state. Fred Dutton prepared my speeches, but I delivered them off the cuff with which I was far more effective than when I was reading speeches which I did in the '66 campaign. Somebody did an analysis of my '66 campaign speeches; as I read them I cringe because they were really laundry lists of what I accomplished and that was all, and I don't think people were concerned about it at all. They were concerned about some of the general issues, not some of the sophisticated political things that were accomplished, like the Local Agency Formation Commission to start new counties. Well, that's a very sophisticated position that the average person doesn't know about and could care less unless they wanted to incorporate a new city or something.

Fry: But in this campaign what was your main way of campaigning?

Brown: I had been a good attorney general. I had been an attorney general to two governors. I knew the state backwards and forwards. Knowland had been back in Washington for twenty years. He didn't know the problems of the state; he was the Senator from Formosa. He was more interested in protecting Formosa than he was in helping California. He wanted to be president of the United States and he was for right-to-work which was anti-labor and [would] destroy the economy of the laboring class of the State of California. Those were generally the issues.

I had a ten-point program that I talked about that was prepared.

Fry: Yes, that became your legislative program.

Brown: Yes, that became my legislative program, and I faithfully adhered to that too. I really tried to live up to it.

Fry: Pat, while we're on the issues could I flip through some things that I picked up in, of all places, the San Diego Union. It was kind of interesting to see what that newspaper saw as the main issues. Of course, a lot of it was water. They selected some issues to ask both you and Knowland about and one of them was the question: Do you consider that a constitutional settlement is necessary between areas of seasonal water surpluses (which is a nice way of saying the north) and areas of constant shortage if statewide water export projects were built in California?

Brown: Yes, Knight had tried to frame a constitutional amendment that would guarantee to both sides water in perpetuity. He had had great water experts, water lawyers, from throughout the state; he appointed a group of lawyers to come up with a constitutional amendment. Well, they came up with a constitutional amendment, but they just couldn't get a majority vote on it. Water is so sectional and so emotional that a constitutional amendment was not possible. I don't think it was until after I was elected governor that Abbott Goldberg, who was one of the great water lawyers, told me the law of water is the law of water shortages; so find enough water and then you won't have to worry about a constitutional amendment. If we tried to get a constitutional amendment, we never could have gotten it through. So we decided to build this great big 2.5 billion dollar dam up there in Oroville and by transporting it down south and to take care of the whole state.

Fry: To defuse it?

Brown: Well, to get it done. [tape interruption: telephone]

Dutton, Lynch, and other Aides

[Date of Interview: 5 June 1978]##

Fry: What was Tom Lynch's role in the '58 campaign?

Brown: [pause] He was the overall chairman. He was a very close friend of mine.

Fry: But Dutton's name was--

Brown: Dutton was really the executive director of the campaign. He was the guy upon whom I relied more than anybody else. He was the one that really goosed me into running for governor again. I was never quite sure I wanted to run in '58 because I enjoyed being attorney general so much..

Brown: The attorney generalship, of course, was one where you could always blame the legislature, you can blame the governor, you can blame the courts. So all you had to do was make decisions. But the decisions were very, very important--decisions with respect to reading the Bible in the public schools with a caveat that it could be used for literary purposes; the question of writing an opinion that would permit a building of the California Water Project, the so-called County of Origin Statute; the question of appointment to the Regents of the University of California which affected the loyalty oath that Earl Warren wanted; the ability to investigate crime. I set up committees in both the north and the south, a crime-prevention committee of citizens that really met with regularity. I assigned one deputy fulltime to be their executive officer. They met in northern California and southern California, and then we'd all meet together at some rendezvous. For example, we met at Santa Ysidro Ranch in Santa Barbara. It was not only social but it was worthwhile. We had good deputies. I had a recruiting program. It was just something that I thoroughly enjoyed.

I always enjoyed the law and this gave me enough opportunity to argue some cases if I wanted to myself or to take an individual position. And I realized two things. The governorship would be one where you're under personal attack after the bloom of victory wears off, number one, and, number two, I wasn't sure I'd get it. Both Knight and Knowland were strong, and [if I lost] I'd have to give up the attorney generalship and return to private practice. So it was with some trepidation--

But Fred Dutton, he always [said], "You'll win it, you'll win it." He'd send me these "meemos" or memos. (I call it "meemos" because I had a friend when I was in the DA's office who would always say to me when I was fighting with the police department, "Send them a meemo, send them a meemo!" [laughter] That's the way he pronounced it. I said, "What'll I do?" He said, "Send them a meemo!" God, I'll never forget it as long as I live.)

So Fred was my real advisor in the campaign. My publicity--I can't remember who was my PR guy if you have anything on that, but there was another fellow named Harry Lerner. I think I used Harry Lerner but he wasn't my--

Fry: I think the last time we covered who your PR man was. Dutton may mention it in that "meemo" to Lynch.

Brown: That you sent me. [reads memo] Tommy Matthews, yes, with Rappaport in charge under me. I wonder what Rappaport that was. I don't remember. Probably another newspaper man. No, that was Tom Matthews who was with the San Francisco Chronicle.

Fry: So with Dutton doing all of that, what was it that Lynch did?

Brown: Well, God, a campaign for governor of California is a multi-faceted operation. Tom was kind of a personal guy. He'd preside over the meetings; his district attorneyship and reputation among the DA's of the fifty-eight counties gave him prestige so we were able to get law enforcement people in. He was my oldest personal friend going back over a long period of time.

Fred came into it after I made a speech one day to a group of young lawyers. He apparently was impressed with the speech that I made and--

Fry: We have that.

Brown: I brought him in as chief criminal deputy, you know, and he knew no more about criminal law than I assume you know about the rule in Shelley's case.

Fry: The Shelley case?

Brown: Yes, did you ever hear of the rule in Shelley's case?

Fry: I should say yes and go on! [laughs]

Brown: Ask your son, the law student!

Fry: All right.

Brown: He'll probably know what it is. But it goes back to the old English common law. The rule in Shelley's case is if a person left an estate to a child, left it in trust, for a period longer than twenty-one years, more than a life in being at the time the trust was created, it was invalid. It's a very complicated thing. I can't explain it myself, but it's a good metaphor or simile.

Fry: Yes, I thought immediately it was something from Percy Bysshe Shelley that I didn't know about. [laughs]

Brown: No, no. I don't even know who the hell Shelley was, but it's a very famous rule in future interest although I don't think any lawyer in the state of California has ever used it. But you study it in law school.

Fry: I wonder if my impression is correct that Lynch was the one who could if necessary be your alter ego and speak for you to other campaign workers?

Brown: Yes, I would say that.

Fry: Could Dutton do that too?

Brown: Dutton could do it too. As a matter of fact, Dutton could do it with more authority than Tom. As a matter of fact, Tom would take orders from Dutton because Dutton was a far more astute statewide political figure than Tom. Tom had a good Irish sense of politics, but Dutton was my alter ego, he was my brains. As a matter of fact, he was my Svengali. He was my prime minister.

Fry: Which one did trouble-shooting for you when you ran up against some tough problem in human relations?

Brown: I would say Tom would take care of that more than anybody else. He was a tough guy. He had a man named Eugene MacAteer who later was a candidate for mayor and later state senator. Gene was a supervisor and the three of us were very, very, close. I think we had a man named George McLaughlin who had been in the DA's office who had been very helpful to me in my campaign for district attorney and attorney general; it went way, way back. My brother Harold, too, was chairman of the Republicans for Brown. He was a Republican. I worked very closely with him.

Fry: What did Eugene MacAteer do? Was he close enough to you to be in the inner circle?

Brown: Oh, yes, he and I were very close at that time. I don't know whether he ran for state senate or not that year. I'd have to refresh my recollection.

Fry: Did you ever have anything like the Kennedy family does, where the whole family pitches in?

Brown: Bernice didn't do very much in that campaign and my brother Harold helped, but my brother Frank was always--My sister was not involved in politics at all and my daughter, Barbara, was never too interested in politics. Let's see in '60 she was about thirty years of age. Yes, I guess she was thirty or about twenty-eight or twenty-nine. But she was married to man I think he was with--what was he doing then? He was with Standard Oil, I think, as one of their investigators.

Fry: How about your mother?

Brown: My mother, she never got into politics. She watched it and was very interesting but never did any speech making. She was very shy about that. She hated the limelight: "Oh, no, Edmund, I won't do that, I won't do that." I'd try to drag her around because I was very proud of her, but she wouldn't go.

Fry: Did she talk to you?

Brown: Yes, but she didn't give me very much advice. I loved her very much and she was a very well-read woman, but not politically.

Fry: Not politically?

Brown: No.

Fry: Because I got the impression that she did keep up with public affairs.

Brown: Oh, yes, and she'd have her prejudices and things like that. She'd go to the meetings, but I wouldn't say that she was like Mrs. Eleanor Roosevelt or--

Fry: Rose Kennedy?

Brown: Rose Kennedy or anything like that. Maybe she was like Rose Kennedy, but the family was really not involved. My brother, Harold, was a lawyer working very hard. I'd been out of the practice for fifteen years then so--

Fry: You started to say something about Frank.

Brown: He wasn't in it, my brother Frank.

Brown's Campaign Platform

Fry: We ended the last interview when I was about to ask you a few questions that the San Diego Union had sent out, or I guess they had an interview with you. This was just to help recreate some of the issues that were brewing. I thought San Diego was a good place because that was such a good Knowland hot bed.

Brown: Yes, the Tribune and the Union, the two San Diego papers, were red-hot Republican. They hardly paid any attention to me when I came into town and they treated me very shabbily, although Herb Klein was with them later who later became Nixon's director of communication; he was always very nice to me and very courteous and we always got along very, very well.

Fry: We went through the water question. One of the things that they wanted to know was if the legislature fails to produce agreement on water, would you call a special session on it and, of course, you said yes.

Brown: I would. I would have. I was determined to get a water bill through.

Fry: But they were really anxious about that apparently.

Brown: Right. As a matter of fact, in 1962 when we had the water bond issue, they put it over more than anybody else. But I had a ten-point program. You've seen my ten-point program.

Fry: Yes, that's next on my agenda here. Of course, everybody was asking you I suppose what one method of financing a water plan did you favor over all the others? Did you ever lay that out in the campaign or did you try to sidestep it?

Brown: I think I probably tried to sidestep it. I don't think we conceived the final things of the water program until I was able to retain a fiscal expert and the water people and devote full time to it in the governor's office.

Fry: Yes, I remember reading another press release or something where you say that. In this one you said you weren't committed: "That it will necessitate a combination of all to get maximum results." That must have been it.

Brown: Right.

Fry: Then they wanted labor-union reform laws and they wanted to know if you felt that those were needed.

Brown: What did I say?

Fry: You said yes, at both state and national levels. That must have been a spin-off from the right-to-work issue.

Brown: I can't remember what reforms I wanted. It wasn't one of my main issues in the campaign.

Fry: I think that's part of your ten-points and I'll show this to you in a minute.

Brown: Or eight points.

Fry: Or whatever it was. I think it comes out in your message to the legislature as twelve points [chuckles] and that's one of them.

Brown: It was a beautiful speech to the legislature if I do say so myself. Warren Christopher, by the way, wrote most of that. I made some additions and corrections. I told him what I wanted to say and what I was for, but then he put it in the language which I thought was a beautiful speech.

Fry: Yes, I just read it yesterday.

Brown: Didn't you think so?

Fry: Yes, I was ready to vote for you right then. [chuckles]

Brown: Well, I assume after reading it you were ready to vote for me without any additions or deletions. [chuckles]

Fry: I'm going to talk to Warren Christopher about that too. We have a date at some point in Washington when there's not a State Department crisis. [laughs]

Brown: God, he'll be hard to see. He's a good fellow though.

He was the clearest thinker in my administration and over a period of time has been my best advisor. He was an advisor to Jerry, too, in his campaign.

Fry: Oh, he was?

Brown: Oh, yes, and he was very helpful to Jerry four years ago.

State Finance and Regulation in 1978

Brown: Jerry needs somebody like Warren Christopher right now, between you and me, in the campaign. He's too prone to jump to conclusions and I'm afraid before it's over it will hurt him. (This is off the record.) I talked to him today and he's going to say now that he's going to be able to make the Jarvis plan work and I said, "You can't do it."

Fry: He's already said that.

Brown: I said, "You've got to show some compassion for the people who are going to be thrown out of work and the special programs for the blind and the autistic children and the mentally retarded, all of which will have to be circumscribed." One of the theories that I have, and I've never been able to sell it to the people because government is in such ill repute, is that most of us don't need the help of government; most of us don't need government.

All we want to do is to have government really leave us alone; protect our life and limb and property and pay our taxes at a reasonable rate. But other people just can't make it in this world and this economy--the blind, the totally disabled--and as a result

Brown: of that, then government has to move in to help and all of us have to share. [tape interruption: telephone] If you have a retarded child and you have two or three other children and you try to raise that retarded child in your family, it's almost impossible. You've got to institutionalize for the sake of the majority, so the institutions have to be good. Like this fellow, Mayor Wilson of San Diego, said yesterday that he thought they ought to cut back on help to the needy mothers. God, I mean here with costs of living going up what a hard, cold view that is, no compassion.

So I told Jerry, I said, "I'd say with Jarvis, 'I'm going to try to make it work. I'm going to do everything. The people have spoken. I'm a servant of the people. Whatever they want I'm going to do. But I'm not going to be hypocritical and tell you that it's not going to hurt human beings. It is, and I feel that people who get out of work, I want you to know I'm very sorry for them. I'm going to do everything I can to see that their hardships are mitigated.'"

Fry: There's a question that I might as well ask you right here: Is the reason we have the three-billion-dollar surplus now in the state budget because of a change in the tax structure made under Reagan?

Brown: Yes. That's one reason. That in and of itself would not handle the situation. He had that change in the tax structure done for the purpose of giving money to property owners to cut back their property taxes, but it didn't do any good because these local governments would just take that additional money and spend it for other things. Anytime one agency gives money to another agency and the other agency doesn't have to raise the taxes, doesn't have to be responsible to people, they become extravagant with it.

But you see what he did. Say that during my administration, the income-tax brackets probably ranged: \$10,000 you paid maybe one-half a percent of your income; at \$20,000 you paid one percent; at \$30,000 you paid two percent; at \$40,000 you paid five percent; maybe up to \$100,000 where it moved into the eleven percent bracket, which was the highest. Well, he didn't raise the taxes, but what he did, he cut those ranges so you'd pay one percent at \$5,000, you'd pay two percent at \$10,000, you'd pay three percent at \$15,000, you'd pay four percent at \$20,000, five percent at \$25,000. That, plus inflation. Business is good. They talk about a bad business climate in California. They're crazy! It may be true that a Dow Chemical won't come in, but for every Dow Chemical that goes out there are fifty companies that are coming into California because it's a good market, living conditions are excellent, employee morale is high and everything is fine.

Fry: Because wages have increased.

Brown: Wages have increased. They pay more, but they make more. Business is extraordinarily good in California under every report that you get. Under Jerry's administration, I've urged him to modify the Coastal Commission, The Energy Commission--some of the consumer fraud sections have been overzealous. They've been too rigid. But it's a hell of a lot better to have a coastal commission rather than build a Chinese wall like they have in Hawaii with all those great hotels surrounding that beautiful beach over there. They could have moved them across the beach there and had a much greater beach. You've only got a little bit of a section over there, maybe have bridges over the street to get to the beach. They're beginning to do it over there now.

But I think they've gone too far, some of these areas like up along Mendocino if you've been up there to any of that area. There's big wide sections where people would like to buy a home and they've got good planning. But they won't let any building go on at all up there. Somebody wanted to put in a little league ball field and they had to go through all sorts of junk stuff to get a permit. It's bureaucracy at its worst.

The Energy Commission on nuclear, for example, why don't they just say, "Until the federal government tells us what to do with the nuclear wastes, we're not going to do anything. Once they tell us what to do with it then we'll re-examine it." But that's nothing to do with today.

Fry: If Jarvis-Gann passes tomorrow, then I have two questions for you. One is do you think that the state surplus due to this tax structure will continue? And therefore, would it mean that a lot of these services will then be funded by the state and give rise to a greater centralized bureaucracy in the state?

Brown: I do think that. I do believe that and it's not the place to do it because each locality has much different problems. They're knocking seven billion dollars out of the total revenue take of the state of California. You have the federal grants, the state intake, and the cities' and counties'. The cities and counties have a total take today of \$10,500,000,000. That's 7 billion of that out. Well, you can fire ten percent of the teachers and 10 percent of the firemen and 10 percent of the policemen and who will know whether a fire could have been put out in two hours or one hour if you had more police or firemen. So it will be both.

There's a 3.5 billion dollar surplus, but that's been created over a period of two years of highly inflationary prosperity. Once you take that \$3.5 billion, that will help the cities and counties

Brown: during the first year that they're in there. But after the first year, they're going to have one hell of a time getting additional money because it takes a two-thirds vote to get an increased tax program in Sacramento and a two-thirds vote of all qualified voters to get an increase in taxes in the cities and counties. Special programs, you have things like the Economic Development Agency has maybe a budget of half a million dollars which they'll probably eliminate or the Fair Employment Practices Commission or the Energy Commission. They can turn that work over to the PUC.

There's a lot of economies that can be effected and in that respect a shot-gun approach can be a good thing because it's the only way you can trigger an economy in government. But I think Proposition 8 would do exactly the same thing but without the impact. Its legislative meaning can be changed. If we say that, they'll argue, "Sure, the legislature will respond to Jarvis-Gann now, but a year from now they'll forget about it. So we have to put it in the constitution." And I agree with them. But we better get back to the original--

Fry: Well, I think this is a good discussion to have now in between your election to governor and then what we're going to do in a minute, to go into 1960. So we can just use this as a kind of a preface to your governor section.

The other question along this line that I wanted to ask you, it seems that most of the voters are concerned about too much regulation. They like the government services. They like the beaches and the parks and all of this. But there has also been along with the growing concern about our home taxes, been a great concern and hue and outcry about more and more regulations on a lot of aspects of business mainly.

Brown: I agree with them.

Fry: Do you think this is really going to help any in cutting back regulatory functions or government?

Brown: I think when you talk about it, you're talking about economic environmental impact reports and resources.

Fry: But then other things like PUC and other agencies that are really necessary to regulate monopolistic functions.

Brown: They won't be hurt. That's a constitutional body. They may not be able to work as efficiently, but I think they may get rid of the Energy Commission or they may cut it back substantially, although they have a special tax. Their tax is tough on revenues of power

Brown: companies. I think it's some very miniscule amount as far as they're concerned, but when you add it all up together it amounts to a very substantial sum of money.

Fry: That funds the PUC?

Brown: No, that funds the Energy Commission. But I think the Coastal Commission--I think everything where there's great controversy, I think they'll be cut back. I talked to Jerry this morning on busing, for example. If you have to have busing as against sixty kids in the room, you've got to get rid of busing, that's all there is to it. I think part of the outcry for Jarvis down here is a result of the busing thing too, because that's going to cost seventy million dollars or some tremendous money and who the hell under some theoretical--"if you and I get close to one another we'll love each other." That's not a very good example. [laughter]

Fry: Wait a minute!

Brown: But that's the theory. They want to get the blacks and whites to be in the same room and then you won't pay any attention to color and we'll have integration. I don't think that it helps. If you have a stupid kid in the class and a smart kid, I don't think the stupid kid's helped by the smart and in a great many cases I think he's hurt because he needs a special education and the teacher just can't waste too much time on him.

Fry: But do you think that the people who don't want busing are coming out against Jarvis-Gann?

Brown: They're coming for Jarvis.

Fry: For Jarvis?

Brown: Sure, because they think it will kill the busing. There won't be enough to pay for the busing, although I talked to Kathleen yesterday and she said, "Oh, they'll have busing no matter what else they do because it's a state supreme court order." I'm not so sure she's right. I think they may just say, "To hell with it" and wait to see what happens. Rather than fire teachers, I just can't see them busing kids.

Governor's Appointments

Fry: About commissions and their place in state government and the scheme of things, in California I understand that's really the main source of appointments for a governor.

Brown: Oh, yes, that's about the only place you have. There's nothing else. Government is so honeycombed with civil service that the only place you can come in is at the beginning level or at the top level, but in between these people go on no matter who's governor or what their political philosophy is or anything else, and at the intermediate level of leadership they can really frustrate anything you want to do.

Fry: So if that's the governor's major patronage it looks like Jerry, in cutting out any commissions as an economy measure, is going to be--

Brown: Yes, but they don't amount to very much. Most of them are non-paid.

Fry: I know some of them are non-paid, but a lot of them are paid.

Brown: Not very much. You take commissions like the state bar, of course they pay their own way. But the State Board of Pharmacy or the State Board of Medical Examiners, these are learned professions that have to be regulated.

You have others--Forest Practices Commission and Reclamation Commission and Securities Exchange Commission, the Corporation Commission--these have all grown up by reason of modern-day business and economy. State Board of Agriculture. They're not going to get rid of those things, and if they got rid of the whole damn thing it wouldn't amount to a hundred million dollars in a budget where they have to save seven billion. Maybe you get ten of those, you may save a billion, but I don't know where it's going to come from.

Fry: I was thinking more about the things like the Real Estate Commission and the hairdresser's commission--

Brown: The State Board of Cosmetology. I recommend they do away with the State Board of Cosmetology. As a matter of fact, I had a company that I represented that was going to buy this school of cosmetology, but they've given it up now because they think the pressures will be so great that they may do away with it and have apprenticeship programs of six months or a year. That, between you and me, is the barbers. You've got the Board of Barber Examiners. You can't be a barber unless you pass an examination.

They could do away with a lot of those things I think. They've had them for years and years and years. Everyone has a little special-interest group.

Fry: Yes. You set up quite a few new ones when you were governor.

Brown: I guess I did and there have been a lot more since.

Fry: Yes, under Reagan too.

Brown: Reagan set up any number of new commissions.

Fry: Somewhere I've got statistics on that. I think, as I remember, your new commissions were more than Reagan because government was growing quite fast.

Brown: [laughs] I don't know where they were. I'd have to see them.

Fry: You needed appointments! [laughs]

Brown: I'd like to see them if you've got a list of them. Look for them and send them to me, will you?

Fry: Okay, I have that. I have a little file on commissions.

Brown: I'd like to see that.

Fry: It was kind of an interesting study. But at any rate, that's not going to be anything then that's likely to change.

Brown: No, I don't think they'll get rid of them. They may have a moratorium on meetings or something; although they may have to destroy a lot of these things. It may be. I don't know. The first time I talked to Jerry this morning for two weeks--

More on the Jarvis-Gann Initiative

Fry: If you were attorney general now and had to deliver an opinion on the constitutionality of the Jarvis-Gann--

Brown: I don't know. There's such impetus behind Jarvis-Gann that it's going to influence the court. What's constitutional or unconstitutional is what the court says it is. For example, pricing of liquor was constitutional on Monday of last week. It's now unconstitutional. Capital punishment was constitutional for a hundred years in California, then it became unconstitutional. So you don't know what they'll say. They could say anything they want.

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Brown: If you sell a house now, under Jarvis-Gann, for, say, \$90,000, that immediately becomes the value of that property for assessment purposes whereas my property, in view of the fact that I owned it

Brown: in '75-'76, it's rolled back to that assessment. Now there's no reason you should pay a higher tax than I should, and I don't see how the court can rewrite that statute. So I think they could declare this whole thing unconstitutional, between you and me. There are other provisions too that deny equal protection of the majority.

Fry: The two-thirds vote.

Brown: The two-thirds vote of all qualified voters. I would have talked longer at the meeting in Berkeley and been more explicit about 13 and 8, but I think when people are standing up it's awfully hard to talk to them.*

Fry: Oh, you mean at the--

Brown: At the rally up there the other day. I would have talked about other issues too. I talked to Town Hall for forty minutes down here extemporaneously. I had some notes. But I always get worried because I start moving from one foot to the other when I'm standing up and it's no use preaching to the converted. And most of those people are against 13 already.

Fry: I couldn't tell who was there, and I concluded that this was one of those meetings where your experienced political leaders were already there and therefore--

Brown: A lot of new faces were there too. They were all from Oakland, San Leandro, a lot of judges. There were a lot of judges I knew there. Some were retired judges and old friends of mine; a lot of them were down there. But a lot of them were new faces. I didn't know them. I guess there must have been 250 people.

Developments in the Fall Campaign

Fry: All right, we can go on then if that's all right. [tape interruption] Your special legislative address when you became governor--

Brown: Yes, the general session of January 5, 1959.

*Democratic party social in Emeryville, California.

- Fry: Yes, and that's twelve points. Now, your eight-point program was what you had during the campaign.
- Brown: During the campaign; but as the campaign went on we realized that there were other things that we'd have to do and that eight-point program was pretty general. It didn't mean anything. I tried to be a little more specific in this one.
- Fry: Some of these may be broken up into two in your legislative message. This is "establishment of a state department of economic development." Now, that's research and development like industries have, is that right?
- Brown: Yes. That was a \$100,000 thing. It was just a little speck in the overall budget that I had of three and a half billion dollars. I don't know whether I got it. It took quite a bit to get it because people didn't think there was any need for it but others had it.
- Fry: Then there was special help for small business by providing local economic data.
- Brown: I don't know what the hell they'd do with it, a small business, between you and me, as I look back on it.
- Fry: All these went through, didn't they, Pat?
- Brown: Every one except the farm-labor bill. I had one on farm labor, didn't I?
- Fry: Yes.
- Brown: That's the only one I lost. They marched on me and defeated me, and you had a rural senate at the time so I couldn't get it through.
- Fry: Yes, that was before reapportionment.
- Brown: I always felt very badly about that because it was a voluntary board that would provide some jawbone opportunity for farmworkers to have something to say.
- Fry: They marched on the governor's office?
- Brown: Yes, the farmers generated a march against it and they defeated me.
- Fry: Like Cesar Chavez did then when your son was governor to try to get that one passed.
- Brown: Yes, but he got it. Jerry went all out in this thing.

- Fry: For the consumer, appointment of a "public defender of the consumer" is what you call it here.
- Brown: Yes, that was really a consumer counsel. We got that through and I appointed a woman. I forget her name now. [Helen Nelson] She was a teacher at the University of California I think for a little while.
- Fry: Then here's one for equal job opportunities.
- Brown: That's probably the Fair Employment Practices Act.
- Fry: Yes.
- Brown: That was the first bill I signed, the Fair Employment Practices Act. I think that was Gus Hawkins's bill, and we really worked and put that over. There was great opposition to it too by the business community. They thought people would tell them who they had to put to work.
- Fry: That was equal job opportunities so that people would not be discriminated against on account of--?
- Brown: Race or creed.
- Fry: Or national origin.
- Brown: Right.
- Fry: Why was sex left out then?
- Brown: We didn't think of sex; we didn't think women were discriminated against.
- Fry: Was it already covered somewhere?
- Brown: No. Women's rights were not in the same category as racial rights. That was essentially to help the blacks even more than the Mexican or Chicano worker. That was the one that we worked on more than anything else.
- Fry: Then you have one here called "labor-management peace."
- Brown: I don't know what the hell that was.
- Fry: "Protection of the present rights, the present freedom of employers and employees to agree or disagree on a union shop and use state legislation to assure honest and democratic unions." Now, I think that's where your other three points come in because that's broken up into several others.

Brown: [pause] Well, I wouldn't use that as a blueprint for my program. We just got that out so that I could talk about things during the campaign and it sounded pretty--

B. Brown: Pat, can you move a little closer. I can't get you both in. [focuses to take picture] You're all right, Chita.

Fry: Let me ask you about this one for economy and efficiency. I think that's your reorganization. So you already had an idea of reorganizing the executive branch?

Brown: Which we did with the agency plan.

Fry: A lot of that's in here too.

Brown: Oh, is this the speaker's manual?

Fry: This is the speaker's manual and it describes a lot of your positions.*

Brown: Jerry ought to get something like this.

Fry: Do you mean that's not typical? Who fixed up that speaker's manual?

Brown: It was probably fixed up by Dutton. These are the kind of things that he would work on.

Fry: That certainly gives your point of view on everything. It's a nice summation of all of the questions and issues that were in the campaign. I may have a page or two marked toward the back of it.

Brown: [leafs through binder] Here's the California poll: Brown, fifty-one; Knowland, forty. See, I'm further ahead than Jerry is.

Fry: What date is that?

Brown: March 20, 1958.

*Background Material (for members of the Working Press Only), Pat Brown Governor, California Campaign Committee, revised October 14, 1958. The above quotes are from "Bread and Butter Program" speech, P. 72. Copy in Supporting Documents.

- Fry: You were fifty-one and Knowland was forty already?
- Brown: Yes. But in re-election Nixon was ahead of me when you get to that, I think you'll find. It's very interesting. I haven't seen this for a long time.
- Fry: There sure was a lot of hard work done in that campaign.
- Brown: Oh, yes, it was very well-organized. Fred is really absolutely magnificent.
- Fry: Here's another example of the work that was done.
- Brown: Hal Dunleavy. Yes, we worked with Hal Dunleavy.
- Fry: Were you aware that that was being done then?
- Brown: No. I knew they had Hal Dunleavy, who was kind of a Mervin Field of the day. I knew there was an awful lot of work being done. It was a very well-organized campaign because Fred is a systematic guy and we had a lot of volunteers. [to Mrs. Brown] By the way, you didn't do much in the '58 campaign, did you? The first campaign?
- B. Brown: No, I came down for a couple of things. That was the time I came down and they told me it was going to be a nice, easy program. Then I got into the audience questions and they asked me about the right-to-work and I'd never been on anything before in my life and I had to go forward and stand up in front of a standing microphone and my knees were shaking and the people were firing--[laughter]
- Brown: She got good before she got through though.
- B. Brown: That was when I used the banana cake, remember? I knew the answer (since I gave you the recipe you might be interested in this). I knew the answer that he was opposed to the right-to-work but I didn't want to open the flood gates--if I answered one question on the issues, I'd have to answer the other ones.
- I finally did answer the question, but I started in by saying that I bake a very good banana cake, but I'm sure if you ask the governor to bake a banana cake, he couldn't. And by the same token he knew all the answers to all the issues, whereas I didn't and so on, and I finally answered the question on that.
- Fry: That's pretty good, Pat.

Brown: Yes, Bernice, when she answers the question, she has a little twinkle in her eye and it goes over very big.

[to Fry] What else have you got there?

Fry: I was just running down these, Pat, just to get them in the record with a comment by you--the reorganization of the executive branch and then the next one is for school needs, marshalling public support at both the state and local level. You were talking about the big classroom shortage and the rapid growth in population of school age kids and how many classrooms you needed to build every month.

Brown: Oh, tremendous because we had almost 200,000 more youngsters enter the schools in '59 and '60 and '61. It wasn't that many. It would range from 170,000 to 190,000 during the four years.

Debut as Governor: Implementing the Platform, Legislative Relations

Fry: The last one you have down here is for a state water program. So that was your eight-part program in the campaign. Can you explain how much you used that? Did you really try to hammer that home?

Brown: Yes, it gave me a sort of a diagram to follow and then after I was elected, I really read this and implemented it and made it more specific. I had made this commitment and I knew it and I tried to follow through on it. It was very helpful to me. This one was just sort of a beginning of it, but if you take a look at my message to the legislature which was really the blueprint of my first four years, I tried to faithfully adhere to that. I accomplished almost everything the first year I was governor with the single exception of that farm-labor bill. Outside of that we had a fantastic success.

I had a million-vote majority and someone told me (I can't remember who it was) that you'll never be as popular after the first year as you were the day you took the oath of office. We had excellent cooperation--Unruh, Bill Munnell, and Ralph Brown, the Speaker. We had bills introduced at the request of the governor, which they wouldn't do later on. They'd get away with that, that's the legislative process.

Fry: That was done away because it interfered with the separation of the three branches?

Brown: They just didn't want the governor to get any credit for it. As time goes on, your power erodes in the legislature very, very quickly. It's a tough job to keep them happy, because they want

Brown: appointments. They'll want one of their law partners made a judge, and he may be a boob. He may want to get rid of them. They don't have the same degree of responsibility that a governor has to all the people. They have their little section and they have blinders on and they can't see that you've got a great big state.

Fry: Also, the amazing thing about this was that it was the first time since 1899 that the Democrats had really made a grand slam in the state election.

Brown: Really? I don't remember that. We elected everybody but the secretary of state. We still had Frank Jordan up there. He was the only one. Did we win both houses?

Fry: You won control over the state senate and assembly, you won a majority of the congressional delegation, a United States Senatorship and even the entire five-man state Board of Equalization.

Brown: That was an amazing thing. Then we went on the first year and abolished crossfiling too, which was a very important thing.

Fry: This was the last crossfiling election, I guess.

Brown: Well, the fact is that when we did away with crossfiling, that insured the defeat of the Republicans because before that there's no designation whether you're Republican or Democrat. The Republicans always had better name recognition, always had more money, and they would always hide the fact that they were Republicans. The press were all Republican and they'd support them and, number two, the local elections were nonpartisan--the mayor, the city council, and the supervisors; they were all Republican although you didn't know it when they ran for office.

Fry: Yes, so they were the ones that had their political experience built up to run for higher office. [pause] Something you added to your legislative program was the air pollution that wasn't in your campaign.

Brown: Oh, yes. Warren Christopher took care of that. When we went in we found that there were no standards for air quality. They talked about smog and they tried to do away with it but there was no criteria--like fifty-five miles an hour. I don't know the standard for air, but you couldn't measure it.

With an automobile you can say your speed limit's fifty-five miles an hour or sixty or sixty-five. But with the air you couldn't tell what the air quality was. So Warren Christopher worked on this.

Brown: That was his principal job in Sacramento, to talk with the scientists and the chemists about air, what is air quality. So we finally established an air quality. We had sectional air quality boards. We didn't try to do it--I know we didn't have a state air quality board. But we didn't pass legislation setting maximum limits for pollutants in the air.

[Interview of 5 June 1978 continues with Chapter XIII, p.395.]

X ORGANIZATION AND OPERATIONS OF THE GOVERNOR'S OFFICE

[Date of Interview: 24 May 1977]##

Key Staff and Department Heads

- Fry: Some of the people I thought were most important aren't on that list.
- Brown: Yes, but this is 9-15-59, apparently, 10-9-59. I'd already made some changes in it.
- Fry: Yes, you'd already been in office since January. That's the earliest one that we have. I don't know where the first one went. And it's just a telephone list.
- Brown: Yes, but it gives me a little idea here. If I can get all these--
- Fry: I've made out another list here that's a distillation of the names that seem to crop up the most. [interruption for telephone message]
- Brown: May Layne [Bonnell Davis], did she come with me right away? How do you want to start?
- Fry: What about those two that several books say were your braintrusters. What does that mean?
- Brown: The braintrust were the people on whom I relied the most at the very beginning of my administration in the governor's office itself. We all went down to Palm Springs and we met for a week. Let me see that list again just to refresh my recollection. I decided upon the appointments. They gave me the number of jobs in the governor's office, and so I took the people that I had the greatest confidence in and brought them into the office.

Brown: The number one man was Fred Dutton who was the chairman of my braintrust. He had been with me as the chief assistant attorney general in charge of the criminal division, although he knew very little about crime. But that was one of the few exempt positions, so I put him in there. So, during the campaign he really ran the campaign and was the number one man.

I also had in the campaign Dick Tuck who was sort of a political strategist and came in as my first travel secretary. You had to have someone to arrange your travel, take care of your bills and expenses.

Then I brought in Warren Christopher who was lent to me by the O'Melveny and Myers law firm. Warren is now the number two man in the State Department. Warren was one of the braintrusts in the campaign, one of the strategists with whom I met frequently, one of the speechwriters, and one of the research people during the campaign on important issues.

Fry: How long had you known him before that?

Brown: I had met Warren Christopher probably five years before that, when I was attorney general. I spoke to a group in Los Angeles of young lawyers, associated, actively practicing law, and young businessmen. Warren was one of those. Fred Dutton was another.

So, they were people on whom I relied a great deal. Fred, of course, was in the attorney general's office. Warren was practicing law. He came in on a free basis. His law firm continued to pay him, so I didn't pay him anything. But I relied very heavily upon his advice. Then I brought in Hale Champion who had not been associated with me in the campaign. As a matter of fact he'd been one of my greatest critics.

Fry: Oh, really?

Brown: Yes, he wrote an article that was very critical of me in the Reporter magazine.* I read it and I realized that he may be a good reporter, but he didn't know me. So I asked him to come in as my press secretary, which of course is one of the most important jobs in the governor's office, because he's the one that has to communicate your thoughts to the press and to advise you on what not to talk about.

*"California: To the Victors Belongs the Empty Treasury," The Reporter, November 27, 1958.

Fry: How did he get to "know" you?

Brown: Well, of course, he was working for the [San Francisco] Chronicle, and I was attorney general and lived in San Francisco. So I knew who he was and was impressed by his articles and things like that.

Cecil Poole had been the chief assistant district attorney for Tom Lynch, who succeeded me as district attorney of San Francisco. Cecil had been with me when I was district attorney. I wanted someone on whom I could rely for legal advice, extradition, pardons and paroles, and things such as that, particularly in the criminal field. Cecil was a great lawyer, and he's now a federal judge. So he was my legal secretary, particularly devoted to extradition and clemency. In addition to that he was black, and I was very concerned about the racial prejudices that existed in the state at that time, and I wanted to make some significant changes in my staff. They were not symbolic however, because Cecil was a very, very good lawyer.

Then I brought in, as my legislative secretary, Charles Johnson who I later appointed to the bench. Charles had been the chief assistant to the legislative counsel. He was the number two man in the legislative counsel's office. He knew all the legislators. So I brought him as my legislative secretary.

Then I brought in another man who later I put on the bench. He'd been a legislator.

Fry: Let's see, you had Frank Chambers, Bob Williams, Paul Ward, Art Alarcon.

Brown: Those came later. It was Julian Beck.* I can't remember where and when I--

Fry: Oh, yes. In January, '59, he was your legislative secretary.

Brown: Oh, he was my legislative secretary; I don't know where Charlie Johnson was at that time. But at any rate either one of those were legislative secretary. They had two or three assistants, but I let them pick their own assistants.

*Assemblyman from Los Angeles, 1943-1953.

Brown: Then on personnel I brought in May Layne was my wife's sister, because I wanted someone that was objective and yet loyal, that would be able to discriminate between the friends without any ability and the friends with ability and take care of the friends that did have ability.

Then my personal secretary was Adrienne Sausset, who had been with me from the day I was district attorney. She came in as a young lady and immediately ingratiated herself with me as the young district attorney, and she stayed with me through the seven years as district attorney. I think she came in toward the end of my first year. She stayed with me for the seven years as district attorney. Then she was my personal secretary during the eight years I was attorney general and came with me and stayed with me the eight years that I was governor. It was a very close relationship there.

Fry: Did she have any legal background?

Brown: She'd been a legal secretary, but she was not a lawyer. She was my personal, confidential secretary. She'd worked for the district attorney of San Mateo County, and she had done some legal work. She was a legal secretary.

As a matter of fact I've only had two secretaries in--[counting] let's see, twenty-three and, thirty, twenty-three--thirty-three years. She's been with me--

Fry: Judy [Carter]?

Brown: --fourteen years. Judy was with me in the L.A. office, but I didn't know her very well then. She came with me. I had a couple of other secretaries when I first came into the private practice of law, but she's been with me ever since. Now she's leaving on July 1 [1977]. She's going up to Sierra County, or up into Trinity County, and buy a ranch up there or something.

Fry: Oh, no. I wanted to interview her while she was still--well, maybe she'll still even be closer to me up there. [chuckling]

Brown: Yes.

Fry: What was Judy's name then?

Brown: God, I can't remember. It's Judy Carter now. I can't remember what it was. We'll ask her when we leave here.

Fry: Did Judy follow Adrienne Sausset?

Brown: No. Adrienne was my secretary during the eight years I was governor. Judy was in the Los Angeles office as my secretary down there for a part of the time. When I'd come down I needed a secretary down here, and she was sort of in charge of the office too. But Adrienne was my gal. I mean she was the one that knew everything I was doing.

She had two assistants that helped her. She had Eve Ostoja and--what's the name of the other little gal, Irish girl--she's on the telephone list here. [looks at the list] Irish girl, what the hell was her name? We'll find it later instead of wasting too much time on it.

The other one was Mrs. Helen Emig. She became the secretary to my wife. My wife had a secretary. She needed a secretary to take care of the number of things.

Then in the San Francisco office I had a Mrs. Cecilia Anolik.

Fry: Did you have a San Francisco office too?

Brown: I had a San Francisco office too, yes. Now the rest of the dames here--Jackie Habecker had been under [Goodwin] Knight. Oh, the other one is Mrs. Haggard, Mary Haggard. She was with me. We didn't call her Mary. What did we call her? But those were the three that were in the office: Haggard, Eve Ostoja, and Adrienne. The other two really worked for Adrienne.

Then a very, very important person, was a person I kept, was Maryalice Lemmon, L-e-m-m-o-n, who was the receptionist. She would take the telephone calls and screen them. She had done that for Goodwin Knight, and she was very, very good. So, I kept her with me too.

Then I had a Lieutenant Colonel Chester Reed as kind of a person that helped around the office, kind of a personal aide to do things. Then, of course, I had a highway patrolman assigned to me, Lou Cotter, who had also worked with Goodie Knight. I kept those people. They were very, very good.

Fry: Did he do more than just drive the car?

Brown: He was kind of a bodyguard too. That was the only bodyguard I had. He didn't wear a uniform except on special occasions. But he was always armed and would protect you from people that might bother you. He was very, very good, very quiet, very good.

Brown: Now the rest of the people on this, this group here--I see Charlie Johnson down here. I can't remember when Charlie came in. It's hard for me to remember.

Fry: He was primarily legislation.

Brown: He was primarily my legislative secretary. I think I appointed Julian Beck to the bench pretty soon; I think he served with me through the first legislative session and then I appointed him.

But those were my important people, plus Bert Levit, who was appointed director of finance. Bert Levit was part of the brain-trust too, because he was the one that had to work on the budget. Those were the people.

Now, Paul Ward--I appointed Paul Ward as the head of one of my agencies [Health and Welfare]. I had great respect for Paul Ward. He was a man in whom I had great confidence.

Did I mention Bill Coblentz? Bill came in too. [pause]

Fry: No. I'm waiting.

Brown: Bill came in as one of my administrative secretaries and he was--

Fry: Oh, he did?

Brown: Oh, yes. He's now the president of the board of regents [of the University of California]. I appointed him to the board of regents.

Fry: I couldn't find his name on those phone lists, and I wondered why.

Brown: Surely he should have been there. I don't know. He only stayed about six months too, and then he left. See this is dated 9-15-59. This is September, '59. Yes, he was only in the office six months. He left his private practice to come with me too.

Early Legislative Program

Fry: What I'd like is a real picture then of these key people who were around you and what they contributed.

Brown: Well, Fred Dutton--

Fry: Especially that first year and how you developed that legislative program.

Brown: The legislative program had been really worked out during the campaign. We knew what we wanted to do and moved right ahead with it. For example, fair employment practices was one of the first things that I introduced.

They'd been trying to get a fair employment practices act and commission through the legislature for at least the last four years of the Warren administration and the six or seven years of the Knight administration. So I made it one of the prime considerations of my administration.

In addition to that I knew from my study of political history of governors and presidents that you have the greatest muscle during the first year of your administration. Particularly when you win by a million votes you're in a position to get things done. So I moved ahead with real power.

So the Fair Employment Practices Commission was the first thing that I put through with the help of, I notice here, Senator George Miller [Jr.], some memo that you have here.

The second thing that I was most concerned with, of course, was the budget. I wanted to get a budget through. There was a deficit the first year. I had to have an increase in taxes, and I wanted to try to get a sufficiently large tax increase so that I wouldn't have to do it again. We wanted to project it down the road a period of four years, which we did.

As a matter of fact, I don't think there was ever a general tax increase during the next eight years of my administration. We ran out of money during the last year of my second term, but there was no deficit because we were able to utilize different kinds of budgeting that permitted us to use surpluses that we had in other departments and other things.

Then the third most important thing that I wanted to put over was the California Water Project. I wanted to put that over, and that had been deadlocked in the legislature for at least twelve years. I did that by what I consider good political judgment upon the part of the governor.

I selected Hugh Burns in the senate, who was a rural senator and very powerful, to handle it in the senate--we started in the senate--and Carley Porter from Los Angeles who was very popular with his own people and a good, shrewd legislator, in the assembly. It was called the Burns-Porter Act, which permitted the \$1,750,000,000 bond issue to pass the legislature by the necessary two thirds vote.

Fry: Now who in your office helped you on this water plan?

Brown: In the water program I relied upon the then director of water resources, who had been Knight's man, Harvey Banks. But I brought in two--I brought in a man by the name of Ralph Brody, who'd been in the Bureau of Reclamation, and Abbott Goldberg who had handled the legal work in the attorney general's office. I can't remember when Abbott came in, but Ralph Brody I relied upon particularly.

Later on in the program I depended upon William Warne who had also been in the Bureau of Reclamation. I appointed him director of Fish and Game. Fish and Game Department was primarily a--it was connected with water.

On all the department heads that I appointed, the various department heads, we sat down and went over them. I'd have to get a list of the departments that existed that time.

Further Appointees, Staff Teamwork

Fry: Well, that's okay because we'll have another interview just on the departments. Right now I'm interested in the view from inside your office and whether you had a particular person delegated to deal with the departments and agencies.

Brown: In addition to those, I brought in three other people that should be mentioned. One was Meredith Burch who was really a very close friend of Fred Dutton's. She was a very shrewd political young lady. She is now back east in Washington.

Fry: She was what?

Brown: She was a liaison on programs and politics too. We had to keep our political connections up.

Then I had two other people: press secretary Jack Burby and Lucien Haas. Jack Burby's now in Washington. Lou Haas is now administrative secretary to Senator [Alan] Cranston.

Then Frank Mesplé--Frank was professor of political science at Fresno State College. I relied upon him a great deal too. I don't know whether he came in at the very beginning or not. I think he was there later.

Fry: Was Mesplé primarily handling legislation?

Brown: Overall legislation. Then I had people come in, like I had a man come in for education. He's on the community college board now here in Los Angeles. He was a teacher at UCLA. What the hell's his name? I can't remember, but I relied upon him.

Fry: Was it Ed Costantini?

Brown: No, he came in later. The man on education was a UCLA professor, and he came up and he was my advisor on education. He was a professor of education at UCLA.

Fry: Well, I'll find his name.

Brown: I brought him in. We can find him by finding out who's on the community college board. He's running for re-election this year, so we can get his name. I forget his name. I don't see that on this list either. Of course, this is September. A lot of changes took place. You haven't got the first list?

Fry: I don't have any lists earlier than that. I brought you the earliest and the latest that we have.

Brown: Well, I have given you the names of the people on whom I relied. Then, of course, the mail room. I don't even know who was in charge of the mail room. I didn't pay any attention to that.

Fry: Well, that's all right.

Brown: That is a very important function to see that you get the right letters.

Fry: What do they do?

Brown: They sort out the mail. You get thousands of letters every single, solitary day.

Fry: They decide which ones get to you?

Brown: They decide which ones you see. Sometimes there's a series of letters, pressure, bill lobbying, but there are other letters that come in from people that helped you in the campaign, and you can wreck yourself if you don't have somebody that uses good judgment on that. I had Jerry Maher with me too. Jerry Maher was one of my press secretaries. He was the editor of the Labor Journal here in Los Angeles.

They were all part of my braintrust, if you can use that, the press secretaries, the executive secretary Fred Dutton, the press secretary, and the legislative secretary. These were the people on whom I relied.

Brown: There was one man--his son is now on the bench; my son put him on--who was a very fine young lawyer. I wanted him to be my 'clemency secretary. He was black too. But in checking his qualifications I found out that in 1932 or '33 he'd been a member of the Communist party.

So I was just a little bit afraid to put him on. I didn't do it. I asked him--when I found out he'd been a member--he admitted to me that he had--I decided that even though it happened twenty years before that I couldn't afford to have a former member of the Communist party. I felt very badly about it because he was a good man. I later appointed him to the bench, and there was some criticism of that. But I'm very happy I did.

Fry: Was his appointment criticized because of his previous connections with the Communist party?

Brown: That's right. But he'd outlived it, and I wasn't going to hold a bill of attainder against a fine lawyer and a fine human being, so I put him on the bench. He died while he was on the bench; I can't think of his name either.

Now, what else do you want to know?

Fry: Today I just want to know, if I was sitting here about to take office as governor, you know, what could you tell me about how you set yours up and how you functioned with these men who were your top secretaries? How did you use them?

Brown: Well, of course, you see, I'd been attorney general for a period of eight years. So as the attorney general I knew almost all of the legislators, both Democratic and Republican. I knew all of Knight's department heads. I knew all of the people on whom he relied. During the campaign for governor I evolved a program. I had an eight-point program that we published in our little pamphlet.

Fry: We have that.

Brown: So we developed our program at this strategy meeting in Palm Springs right after I was elected. We also had a talent search for talent to take over the department heads.

Fry: How did you conduct a talent search?

Brown: We just looked around for people that had done something in health, Department of Public Health. We looked at Knight's people to find out those that we wanted, those that knew government. I kept some of them.

Brown: Then I brought my own people that had been active in the campaign, that had helped me with the strategy, that had helped me with my speeches, helped me with program. I brought them in. Some of them I had to draft. Like I had to really draft Bill Coblentz and Warren Christopher. They were two brilliant lawyers.

I think time and the elements have proven me to be correct on most of my appointments. I'm very proud Fred Dutton has been a very successful lawyer, later became secretary to the cabinet in the Kennedy administration. Hale Champion became executive vice-president in charge of Harvard. He's now deputy secretary of HEW. Warren Christopher did well at the State Department.

So I had a real talented group of young braintrusters when I came in. Most of them were younger than I. I always tried to get people, very frankly, that I thought were smarter than I was. I thought that I could handle the political face of it.

Then in the operation of the office Maryalice Lemmon would screen the telephone calls. It took her a little while to learn the people that were important. Adrienne would take my personal dictation. She could answer half the letters without me even dictating. There were others however she'd put in my desk where she wanted personal correspondence.

Dutton handled the day-to-day relationships with all the department heads, with the legislature. He was really the number one man. The press secretary, Hale Champion, grew in power as time when on because of his sheer ability. He worked with two other able fellows, Burby and Lou Haas.

I think I had a man named Richard Kline in there too, Dick Kline. Richard Kline was a reporter for the [Los Angeles] Times. He was the most aggressive reporter in the state. So I brought him in with me too. I tried to get people that I observed, whether I liked them or not. I didn't particularly like Dick Kline, because he'd be eavesdropping on everything that was said at various stages. But I thought he was able, so I brought him in with me.

Fry: As Champion grew in importance did you have any sibling rivalry among your--it seems like there was a kind of triumvirate there. Is that right?

Brown: During the first two years I would say that it was a very happy team, all working well together, working with the legislature well because we had a Democratic majority on both sides.

I relied upon some of the oldsters in the senate, particularly George Miller [Jr.] for whom I had great respect. I regard him now as the best legislator that I saw during the eight years I was

Brown: governor. Hugh Burns was a canny old guy but certainly not as idealistic as Miller. Miller was a real progressive and liberal who related to me and my philosophy much better.

We had Ralph Brown who was the speaker of the assembly and a group of young men like Jesse Unruh and Nick Petris and a lot of those people that were there. It was a very, very constructive year, that first year as governor, and a very happy year too, because we accomplished so much that even the unfriendly papers editorialized in my favor.

The Chessman Case and other Disagreements

Brown: You can't isolate these things, but the thing that really hurt me more than anything else was the Chessman reprieve. When I gave him that sixty-day reprieve, I lost the respect of men like Fred Dutton who disagreed with me violently on it. I did it without their advice or suggestions. They felt it was a softy thing on my part to give him that reprieve.

There were violent reactions in the newspapers throughout the state. Even friendly newspapers like the McClatchy newspapers had believed in capital punishment because old C.K. McClatchy believed in it. They were very, very critical of that.

It was like winning a great big fight, winning a boxing match, way ahead on points in the ninth round or the tenth round, and all of a sudden somebody hitting you in the jaw without you knowing it. Wherever I went I was booed, and it was a very, very unpleasant experience. It lasted throughout the Democratic convention. I only recovered really after the defeat of Nixon in '64. It made me look --I had turned him down first and then I--I think you know the story of why I changed--Jerry came in.

Fry: Yes?

Brown: Jerry persuaded me to do it at the very last minute. I didn't really want him to be executed. I never felt that he should be executed. It wasn't Jerry that changed my mind. I needed something to push me over the cliff, because I had exhausted all of my options. He had exhausted all of his remedies, and I had asked the [California] supreme court to give me permission to grant a reprieve. I didn't tell them whether I was going to do it or not. I said, "I want you to give me the opportunity to grant this man a commutation if I desire."

Brown: But the court turned me down. Phil Gibson called me up and told me, "They'll not only turn you down by a four to three vote, but they'll write an opinion and kick you in the teeth." Then Jerry called up and that pushed me over the precipice. I didn't want him to die. It was late at night at the executive mansion. But that's another story.

Fry: Did this continue to color your relationship with Dutton?

Brown: Dutton was very strong in his criticism of me. He made a statement to me the morning after. He said, "You're the trustee of the blind and the crippled and the disabled and the poor as governor of this state, and when you sacrifice your credibility for a foul man like Chessman you're violating your trust." He was very, very bitter about it, and after that our relationship was never really the same.

Fry: How did Champion feel about it?

Brown: They all thought it was a mistake for me to do it. Everybody thought it was a mistake. It did hurt me with all of them, but Dutton was the most vituperative and later--that was 1960--later in the year after the convention, he left me to go with Kennedy. Our relationship was never close after that.

He also disagreed with me on the water program. He felt that spending \$1,750,000,000 on water was a waste of money. He didn't see any real importance in water, Fred. As a matter of fact--he was a very tough, hard fighter for what he thought was the right thing to do--and he came in and said, "You're going to drown the kids of our state in water because you won't have enough money to do both."

I said, "We'll find enough money to do both. We'll build the water project, and we'll build new universities and new state colleges and new community colleges and elementary schools too. We've got plenty of money and we have to do it."

There were things where people thought he was my brains, but when the chips were down, the decision on water and Chessman and schools and things like that, I made them. I sat there in these groups and I had to make the judgments individually. I would take a big input from all of them, let them all talk, but at the end it was my decision, because I really had more experience than any of them. I had been eight years attorney general and as the lawyer for all of the departments, the legislature and everything else, I had a pretty good knowledge of state government when I took over as governor. It was an invaluable opportunity to learn state government as attorney general.

Fry: Yes, that's a good stepping stone, isn't it.

Brown: Very good stepping stone. Evelle Younger has had, of course, that experience. He'll be running this year. Evelle knows the problems too, he's been a judge and a district attorney. So he's had a good background. I don't know what's going to happen of course.

Fry: It these men were disagreeing with you on the the Chessman case, what about Coblentz?

Brown: I can't remember what position Coblentz took. Coblentz was more of a mediator. He was a man that tried to work things out together, and he acted as a kind of a bridge if there were any quarrels between us.

Projecting a Pattern of Government

Brown: Now we also had a great problem on smog during those days too. There was no criteria for what constituted bad air. They had an air pollution board in Los Angeles County. But there was no criteria. People didn't know what constituted bad air. So I assigned Warren [Christopher] to work with engineers at the universities, Cal Tech [California Institute of Technology] and UC Riverside. They were making studies on that. He drafted the smog control laws which were the first laws we had in the state on that.

Things like the consumer counsel and the arts council I got from Averill Harriman of New York or [Nelson] Rockefeller. I studied other governors and things that they had done that were good. As a matter of fact I went back east after I was elected and met with Harriman, who had been defeated by Rockefeller, and met with Bob Minor, who were regarded as good governors, and Soapy [G. Mennen] Williams, and talked to them about what did they find that was good in government. Then I tried to bring that back to California.

Fry: Were these special trips or were they at the governors' conference?

Brown: I made one trip between my election and taking over as governor.

Fry: And circulated around these other governors?

Brown: Right. I can't remember how many I saw, but I saw quite a few.

Fry: So, Pat, you were definitely "the buck stops here" type of executive.

Brown: That's right. I had this victory of a million votes over Senator Bill Knowland, so I felt very powerful. I mean there was no Svengali or--what was the name of the Russian monk, Rasputin--who was, you know, telling me what to do or anything like that. But I did try to pick the brains of a very intellectual and knowledgeable group of people.

Fry: Two more questions I have. I keep getting some signs that Coblentz was maybe an ideologist type. I can't quite define it.

Brown: No, I'd say he was less an ideologist than Fred Dutton. Fred Dutton had a very definite philosophy of government. Hale to a lesser extent because he'd been a reporter, but he'd also majored in political science at Stanford and was a Nieman Fellow at Harvard. So these people all had good knowledge of government.

Bert Levit worked with the fiscal people. He was the new director of Finance and worked with the career men in the budget-making which was very, very important, and also evolved the tax program along with knowledgeable people in the legislature. I can't remember where else, where he got his advice on our tax program because our budget called for additional revenues.

Fry: Yes. How did you work with your finance director? Some governors don't use them as an integral part of their office; they're kind of a different department.

Brown: Well, the director of Finance with me was part of the overall strategy.

Fry: He was definitely part of the whole--

Brown: He was part of the pattern of government that I wanted to project in California. Levit had come into the district attorney's office and reorganized it with me. He was my chief assistant district attorney for a very short period of time, then left, came in as deputy attorney general, stayed for six months, and then left. I knew he was coming into the Department of Finance for a short period of time and then leave.

But the director of Finance is a key to everything because they're able to project the budget, population growth, economic trends. They have some fine economists in their department. You rely upon them to a great extent.

Fry: You used him as an assistant, right, to you?

Brown: As a matter of fact Bert said to me, "Leave me alone for three weeks or four weeks," after I appointed him. He says, "Let me come up with the budget. Then I'll give you two weeks, tell you why I'm doing

Brown: everything." He really was the architect of the budget. I left him alone. I didn't even see what he was doing. Then, of course, we sat down and we discussed it. He had been on the board of education in San Francisco County, so he knew education, knew the demands of education and knew about its budgetary matters, which of course is one of the biggest expenditures we have.

He knew nothing about water. I'd handled the case of Arizona v. California as attorney general, carried the Ivanhoe Irrigation v. All Parties, Rank v. Krug. All of these major water cases were part of my day-to-day life as attorney general. So I knew water, and nobody was going to tell me about that better than anybody else.

Then I had my own progressive ideas about a fair employment practices commission and about a consumer counsel, economic development agency. These were things that were just a little frosting on the cake. They were not the key to a good administration.

Fry: Did you have people with special expertise that you got to come in maybe for just a limited time on an ad hoc basis into your office?

Brown: Well, Bill Coblentz was in that category, and so was Warren Christopher. But I had others come in too. I would pick people out of education or out of welfare to come in with me, but I can't remember, as I'm talking to you today, who they were.

Fry: Okay, but the fact that they were there is important in our discussion today, I mean the fact that this was a technique that you used.

Brown: Right. Right.

Relations with Previous Governors; Staff Changes

Fry: Another technique I wanted to ask you about--Warren had citizen conferences on things like problems of the aging and mental health in communities and things like this when he was governor. I think he said that he then would bring all these people from around the state to Sacramento for the conference--

Brown: Oh, they'd have those big conferences.

Fry: --yes, and suggest that then they go talk to their legislator. This gave him a grassroots support for his legislation in these areas too.

Brown: We had many conferences like that too on safety and health and education and welfare and things like that. That was a technique. I also spoke to Earl Warren, of course. I'd been his lawyer as attorney general for a period of three years and we became very friendly during that period. He was then Chief Justice, but I talked with him.

I also enjoyed a good relationship with Goodwin Knight after he left. He and I became-- We were friends, although philosophically he and I were not very close. He was a conservative and I was a liberal.

Oh, there's one other man too that played an important part in my first administration. That was Jack Henning. Jack was very close to [Cornelius J.] Neil Haggerty in the labor federation, and he became really my labor secretary during this administration.

Fry: But he wasn't in your office.

Brown: He wasn't in the office itself. I forget the name of the department that he was in. I can't remember who was my director of employment, which was kind of the secretary of commerce. Henning was my secretary of labor [industrial relations]. But I relied upon these four or five other people that were department heads that worked with the department office itself.

Fry: Did Henning have this role then for a while?

Brown: He was there for a long time in my office, and I relied upon him very, very much. He then went back as undersecretary of labor during the Kennedy administration under Bill--

Fry: Ambassador too, later. No, that was under Johnson.

Brown: Yes, he was ambassador to New Zealand.

Then there was another man who played a subordinate position, but he was in Los Angeles, Sigmund Arywitz, who later became the secretary of the Los Angeles Labor Council here in Los Angeles, the AFL-CIO [American Federation of Labor-Congress of Industrial Organizations]. Henning is now the head of labor in Sacramento.

Fry: Sig Arywitz was primarily working with your Los Angeles office?

Brown: Well, no. He was advising me on labor problems, technical labor problems.

Then, of course, there's another man who was very, very good in judgmental matters, Frank Chambers. He was from Oakland and he was very highly regarded by some of my campaign supporters, so I put him --he was in the governor's office too.

Brown: Now each one of these categories we'll, some way we'll have to get them. But it was rather a loose arrangement except for the executive secretary, Dutton, who ran the ship of state, and the press department under Hale Champion.

Fry: Did you have more than one press secretary at the same time?

Brown: Oh, yes. I had Hale Champion. He was the press secretary. Then under him was Jack Burby and Lou Haas--

Fry: As his assistants.

Brown: --and Dick Kline. We had three or four in there at the time, always had three or four in the press department. Then I had speech writers, people who wrote speeches, but I don't know who they were.

Fry: Who ran your ship of state when Dutton went back to Washington?

Brown: Hale Champion. I moved Hale Champion in then from the press secretary, and moved him in as my executive secretary.

Fry: Did they really do the same things?

Brown: You mean Fred Dutton and Hale Champion?

Fry: Yes, were their functions--

Brown: Yes, their functions were very, very similar.

Fry: You started to say something about Hale.

Brown: Hale, when he took Fred's place, he became my alter ego as governor. I mean he and I would meet all the time and talk about things. I later appointed him director of Finance, which was very severely criticized because people thought he was just a reporter. But I think time and the elements have proved that I picked a good man because of his success at Harvard and now undersecretary of Health, Education, and Welfare.

Fry: Then who was running your office in the end of your term, when Champion became director of Finance?

Brown: I had several in there. Charlie O'Brien came in at one time. He was a good man, but emotionally he and I didn't get along too well. He didn't get along too well with the staff.

Then I had Arthur Alarcon in there. But after Hale left the rest of them never really had the same compatibility with me that the others, because we'd gone through the travail of victory and everything.

Writing Speeches##

Fry: How about your speech-writing?

Brown: You take, for example, if I were going to make a speech on water, I would call the director of water resources and ask him to assign some of his bright young men to give the facts of a particular situation, then turn it over to somebody in my press corps who knew my style and could write.

For example, later on Roy Ringer--who was one of my press secretaries in Los Angeles who's now with the editorial department of the [Los Angeles] Times--Roy was able to translate my words and actions better than anybody else. We would have a fact sheet gotten from the particular department. If it were on mental hygiene, or a program on FEPC [Fair Employment Practices Commission] or crime, we'd get the facts from a particular department head. Then I'd put my input into it as to what I thought should be done from my experience. Then the actual drafting would be done by a member of the press corps, usually Jack Burby or Lou Haas.

Now I used to speak extemporaneously, but when I became governor I found out there were just too many subjects for me to master. So I started reading the speeches which was not really a good thing to do. But they also warned me I had to be careful. I had a tendency to go overboard at times and take maybe extreme positions. So they'd caution me on that. I can't remember all the speeches I made.

There was one other advantage, as they explained to me. If you had a prepared speech, you could prepare a release and you could get it out on AP and UPI and get what you wanted to get over, rather than something that they might pick out. We thought the reporters were rather lazy. They wouldn't take notes on it.

There was one other thing that was very, very important too. That was the press conference. We haven't talked about the press conference at all. Did you intend to talk about that?

Fry: Oh, yes. I'd love to hear about you and the press.

Brown: I had a press conference twice a week.

Fry: Before you do that may I ask you, as a for example, that speech that you gave at the Washington Press Club in--

Brown: That was in '62 after I--

Fry: Sixty-two, January 8, yes.

Brown: Yes. That was a great speech.

Fry: That was a great speech. It really wowed them. Is that a typical one, about how you prepared it I mean?

Brown: That is right. We would sit down together, Hale Champion and Lou Haas and Jack Burby and myself, and we'd decide what we wanted to say. Then they would write the speech and I'd make my own changes in it to fit my style.

Now I also delivered a speech at the Gridiron Club right after I was elected governor.* I represented the Democratic party. If you're familiar with the Gridiron Club, they have somebody represent the Democratic party, and they also have somebody represent the Republican party. They thought it would be good if they invited Rockefeller, the new governor of New York, but he wouldn't do it. He was advised this was a bad place for a new governor to talk because it was a very critical audience and a tough audience, which it was. But I thought the opportunity to talk to the Gridiron Club would only come to a few individuals, and so I took advantage of it.

In that speech we all had an input into the speech. There was Dutton, Christopher and Burby and myself. I'll never forget, we had one--I wanted to end up the speech by saying--let me go back a little bit. I had won by over a million votes, so I was a national figure by defeating the minority leader of the United States Senate. I have the speech someplace. There's a book now on Gridiron speeches.

But I wanted to end up the speech by saying, "People ask me whether or not I'm now a candidate for the presidency of the United States. My answer to all of them is, 'I don't know.' But I always say, 'Lesser men than I have made it.'" [laughter]

They didn't like that. They didn't want that to go in the speech, so we didn't put it in. I took it back to Washington. I met Clark Clifford and I talked to Clark. Well, Clark added a few things and cut out a few things in the speech.

Fry: What was he then?

*March 14, 1959.

Brown: He was then a private lawyer, but I'd heard that he'd written several Gridiron speeches. He was very, very good. So he cut out a few things. But he thought that was a terrific way to end the speech, so I put it in, and it really wowed them.* It was really a very successful speech. I put it in and used it. That was one of my own little additions to it.

But those speeches, an important speech like the Gridiron Club or the press club of Washington, we'd all work on them together and have an input. I had a certain philosophy that they knew about. They knew the positions I took. As I'm talking to you I can't remember the big issues, but I really felt that I knew more about government than any of the other people that were associated with me because I'd been in it longer than they had. But I did have difficulty with the words and phrases, and so I needed help on those things.

In 1964, as you know, I nominated Lyndon Johnson. We had several people work on that speech together. When I got back to Atlantic City where the convention was, why, I worked with--what the hell's his name. The speech was all finished--I went down to the auditorium with Jack--not Jack Benny, but, what's his name; he was on the Texaco program for years. Well, I'll think about it.

Fry: We'll leave that blank--

Brown: --I'm close to it.

Fry: Was he a comedian?

Brown: Comedian, yes, very funny comedian. I just can't think of it. But the speeches were very, very important, and I made a lot of them. I mean that was one of the tedious parts of the governorship, was the number of nights that I was away.

Fry: Your major speeches that are most helpful to historians are those that you made to the opening sessions of the legislature when it convened.

*Text of the 1959 Gridiron speech is: "I should like to declare, courageously and unequivocally that--I am not a candidate for President in 1960. If that doesn't put me in the thick of the race, I don't know what will."

Brown: Yes, those are all available. As a matter of fact I have a book of all my speeches in here.

Fry: On those did you follow this same process?

Brown: Same process throughout. It would be an output of several people, and then we'd check our facts with the department who presumptively knew more about it than anybody else.

Press Relations

Fry: Now your press conferences.

Brown: When we started out we didn't have any television in the press conference room. I'd be briefed on subjects that were important during the day of that press conference. I'd have a press conference on Tuesdays and Fridays, I think. I followed Knight and Warren on that. They had the same, and we had a traditional part.

I had a tendency to ramble, to be too discursive, rather than to zero in on a point. I couldn't change myself. I'd explain the pros and cons so you couldn't tell where the hell I stood because I really didn't know myself in these things at a particular point.

Fry: You hadn't made up your mind yet?

Brown: I'd talk about everything. I used to drive my press secretaries crazy because they said, "You talk too much."

Then we had a big fight, and we finally decided to open it up to television. We had the first big television broadcast in the governor's office. Well, then you knew you only got a minute or a minute and a half on television no matter what they said, so you'd try to make a short, maybe minute and a half or two minutes on something important, and then you'd get into the questions and answers.

The press hated the television being in on them. They fought it like hell. But they finally had to yield to us.

Fry: So you had to fight the press corps on that?

Brown: They were against it because they didn't feel the television guys were really journalists, you see. But that was a great revolution, and it made the press conferences better because I couldn't ramble on television.

Fry: You reformed yourself.

Brown: I really worked on answers to likely TV questions which showed, so I'd get my point across. But even at that in television sometimes they'd cut out the last part of it, and you'd lose the whole sense of what you were trying to say.

Fry: I notice that happens with Jerry now too.

Brown: Yes. He's good on television though.

Fry: Very selective though, what they choose to use.

Brown: Jerry's very good on TV though, I think. I think he's better than Reagan. I consider Reagan as good as anybody.

Fry: He was very effective.

Brown: Oh, God, he damn near became president of the United States. Geez, and he's really a boob.

I read in the paper today Jerry's got a \$2.5 billion surplus. It's due, number one, to his conservatism; number two, it's due to the tremendous over-taxation that Reagan put in back in 1964 because he didn't know what he was doing.

Fry: I was going to say you had such a good record in keeping the state in the black and having enough surpluses to carry you over. But, then [laughing] this billion and a half, it's just really, blows my mind.

Brown: It's \$2.5 billion!

Fry: Two and a half!

Brown: Two and a half billion, the paper today.

Fry: Well, back to the press corps. Who on which newspapers did you have the best rapport with?

Brown: I had the best rapport with the McClatchy newspapers, Pete Phillips of the McClatchy newspapers. They had supported me and generally they were in agreement, although they got very angry with me because we put the freeway on the Sacramento side and really cut off the river from the town. They were very, very, very angry about that. Eleanor McClatchy damn near withdrew her support of me because of that.

Brown: They were also very pro capital punishment because C.K. McClatchy when he left his will said, "I hope my newspapers will always be for capital punishment and for public ownership of utilities." Those were the two things that they--

The San Francisco Examiner was friendly. But, of course, you had the Chronicle up there, Squire [Earl] Behrens, who was an old-line Republican, good personal friend of mine, but against my positions generally.

Then you had the L.A. Times. It was very pro-Republican until 1962 when Otis Chandler--whenever Otis Chandler came in, they changed their attitude. But most of the press were Republican, and I really thought they were good men and honest men but very mediocre reporters, fellows like Jack Welter of the Examiner, Jack McDonald of the--Squire Behrens of the Chronicle; McDonald of the [San Francisco] Call Bulletin; Pete Phillips of the Sacramento Bee. There was a man from the L.A. Times, Carl Greenberg of the L.A. Times. The San Diego paper had a very conservative man up there. The Oakland Tribune had a very conservative man.

Fry: Well, how did you get along with the Tribune, which belonged to your old political opponent?

Brown: I get along fine with them personally, but philosophically and politi-- I mean governmentally, they were very conservative and I was very liberal.

I never felt that they really got the subtleties of government, the press. The press may look at public figures, but public figures also know whether the press is doing a good job too.

Fry: Did the Tribune--

Brown: The reporters reflected the philosophy of their paper, between you and me.

Fry: They did.

Brown: There was very few independent--the Long Beach Press Telegram, the San Jose Mercury-News had pretty independent reporters up there. The Riverside Press was very, very good. They had a man up there. I can't think of his name, but he was very, very good.

Department Issues; Legislative Relations

Fry: Now one more question on your office on the way you did your research on such things as the rising problems of the urban communities, and consumer problems, mental health, all these things that you wanted to zero in. How did you organize research?

Brown: I'd bring people over to the office. Like Dr. Dan Blain was in charge of the Department of Mental Hygiene, and he would brief me on the program. He'd tell me about new drugs that they were using and make recommendations to me.

Fry: So you used your department heads?

Brown: Oh, yes. I mean, hell, they were in that office-- There would be two or three every day. I mean where you would spend two hours, like welfare. Later on Medicare, Medi-Cal, all those things were briefed. Water, I had to be constantly on top of water as that bill went through the legislature.

Of course, the other thing you want to remember, too, is the legislative session then, they had a general session once every two years, and then a budget session every other year. Only budget, unless we called a special call, could come up the second year.

During the legislative session you have to spend most of the time with the legislators. They have demands. They want appointments. They have bills. They want the support of the governor. So it's a full-time job just dealing with the legislature. You have three or four people that handle the legislature. I can't remember who did that. Frank Mesplé would know.

Fry: How much time did you personally spend with legislators?

Brown: Oh, God, interminable. I'd take them over to the mansion for breakfast or lunch or dinner, have dinners. To get a bill through, it was always very difficult to do. I worked very closely with the legislators.

Fry: You were your own best lobbyist?

Brown: Well, no, I had good, very able guys that lobbied.

Fry: Did you bring in outside people, Pat, for special research on special problems?

Brown: I had an emergency fund of \$15,000, which wasn't very much, but I would bring experts out. For example, the then head of the U.S. economic advisory board, I'd bring him out for a meeting with our Department of Finance to project the economic trends and what they were going to do nationally, so you'd tie it in with the administration. For two years I had a Republican administration, '59 and '60. See, Kennedy didn't come in until '61.

But we brought in outside consultants for many, many things. Most of them were not very good, between you and me. The people that dealt with it every day knew more about it than outside consultants. I found academicians, university people, dreamers. They were not very practical, between you and me.

Fry: They couldn't cope with the problems at the day-to-day level?

Brown: [responding to outside voice] What?

XI FIRST TERM CONCERNS

[Date of Interview: 22 February 1979]##

Inherited Deficit, 1959 Tax Package

Brown: I've got your letter and I've read the letter.

Morris: Good. It may well remind you of other things financial that were important to you that we have not picked up on.

Brown: Let me just read this summary you gave me. [pauses to read; knock on door] Come in! [tape interruption]

Okay. You just ask me the questions then and I'll move ahead.

Morris: In your early budget messages you were speaking about the financial problems of the State of California when you came into office. Were you aware of financial problems as attorney general?

Brown: I wouldn't say as attorney general I was particularly aware of it but during the campaign I had people in the Department of Finance and legislators advise me that new taxes would be necessary because of a budgetary deficit that I inherited when I took over in January of 1959. So I knew it.

Morris: Who in the legislature was bringing this to your attention?

Brown: I think that the one that I relied on particularly was Bill Munnell who was the minority floor leader in the legislature in '57 and '58.

Morris: The legislature at that point thought there should be new taxes?

Brown: They did. The deficit would have come about in the '59-'60 budget. I can't remember how much it was. In today's figures it doesn't seem like very much, but we had a tax program. I can't remember what taxes were increased, but we did increase taxes in my first session in '59. But what it was, I can't remember what the final results were.

Morris: You were reported as asking for a tax package that would bring in \$202 million in new revenue.

Brown: That's right, and I think we settled for about \$175 million, as I remember.

Morris: That's what I wondered, if you got all that you asked for.

Brown: No, I didn't get it all. I wanted tax on cigars and tobacco. I didn't get it. I got a cigarette tax. I think mine was the first cigarette tax. I don't think they had a cigarette tax before I was governor. I may be wrong about that. Gee, I'm sorry; I can't remember.

Morris: That's the kind of thing that's in the public--

Brown: Public records, yes. But I think we increased the income tax in the higher brackets. I think we increased the sales tax too and gave more money to cities and counties of the state too. But my recollection of the first tax bill I had is not clear. I know that we worked very carefully on it and we had people, incumbent members of the Department of Finance, and we had our own Bert Levit, who I brought in who retreated from everything else and devoted himself to it and then we had the legislators that advised us. I kept some of the--I know that I relied upon people who had been in the Department of Finance for a long time.

Morris: Had you gotten to know them as attorney general?

Brown: I didn't know them too well because in the attorney general's office you had a business manager who dealt with the Department of Finance and he spent all his time on that so as attorney general [I] would not see very much of them. The attorney general, of course, was the lawyer for every department in the state, so I did come in contact during the eight years I was attorney general with almost everybody.

Morris: In developing a tax program, did you consult at all with people on the Franchise Tax Board? Did they have a role?

Brown: Yes, I did. Yes, I did. I consulted with everybody on the taxes and before I presented my tax bill we went very thoroughly into it.

Morris: Did the legislature also have suggestions to make as to what they wanted?

Brown: Oh, yes. You want to remember, however, that I had won by over a million votes. I was the first Democratic governor in over twenty years, so I packed a big wallop.

Morris: You also had a Democratic--

Brown: I also had a Democratic legislature both in the assembly and the senate and it was very good relationships the first two years with the legislature. They saw me frequently. I took their suggestions. I tried to be helpful to them; they tried to be helpful to me. They had asked me to veto bills that got through. Sometimes they'd tell me they had to vote for something, but they really wanted me to veto it and I would do it for them. It was a great cooperative effort and I look back on it with great pleasure.

Morris: I'm interested that sometimes there were bills that the legislature didn't want to be passed. How did they get introduced in the first place?

Brown: Well, packing that wallop that we had we were able to always to get people to introduce bills and we initiated the system of bills introduced at the request of the governor. So these were governor's bills and a governor's program. Later on they cut that out under the Unruh administration, after Unruh came in as the speaker. I can't remember when it was, but it was sometime after '62.

Personal Impact of the Chessman Case

Brown: You see, I had great strength in the legislature until I gave Chessman that sixty-day reprieve. When I gave Chessman that sixty-day reprieve, I threw the state into an uproar because the feeling about Chessman was so strong you can compare it today to this governor of Georgia, I guess it is, that's commuted all these sentences of murderers and everybody else and the reaction against him. Now there was no suggestion of corruption when I commuted it but there was suggestion of weakness and vacillation because I had turned him down previously and then at my son's request, as I told Chita some time ago, I gave him a sixty-day reprieve, which I wanted to do anyway. Jerry's request, my son's request to me when he was a student at the University of California, was just the last punch to get me to do it.

But after that, putting the whole thing in perspective, I had a terrible time with the legislature, with the general public, with the press, with myself, and I was in a very bad and very low, depressed [period] throughout that entire year. I gave him the reprieve in January, 1960. There were threats of recall. The legislators were angry because I asked them then to repeal capital punishment or have a moratorium and they felt that I had put them on the spot and passed the buck to them when I'd made a mistake. So this was really a body blow.

Brown: When I went to the Democratic convention in July of 1960 I still suffered from a real inferiority complex. I can only describe it like a fighter who has been winning the first year in 1959, winning every round and way ahead on points. In the tenth round he gets me with one blow to the jaw and down I go and I'm groggy from there on out. That's how bad it was. I want you to know that I really lost my effectiveness. Fred Dutton, my executive secretary, resigned or left shortly thereafter. There was great criticism from guys in the legislature and it made me a weak governor from which reputation I never ever fully recovered, in my opinion.

Morris: That's interesting, that one incident out of so many could have that broad an effect.

Brown: It was because I fought hard for things that were really hard to get over like the California Water Project and fair employment practices and other things that were very controversial and I never retreated. Some of them I could have retreated on or passed the buck but I didn't do it.

Inflation: Feather River Dam Costs

Morris: Going back to finance, I wondered if there was yet a concern with inflation as a factor in the state's financial problems.

Brown: I don't think we gave inflation a moment's notice. I don't think we thought about it or considered it. I don't remember what the inflationary rate was in 1959, but as you talk to me, I had no concern about inflation. It was a question of raising taxes because of increased cost and increased government. But I have no recollection of bringing the factor of inflation into the picture. It must have been there, but I have no recollection of it. The only time I thought of inflation was when the question came up as to whether or not (this is probably in '64 or '65) whether we should proceed with the building of the Feather River Dam. This may not seem too chronological to you but the whole period you take in perspective.

They really didn't need the water in 1964 that would be stored behind the Feather River Dam. There was enough water in the Delta to use for the Valley and to fill San Luis Reservoir and use it until the project was completed for southern California, which meant the Tehachapi pumps and the two aqueducts east and west down there. They told me that we wouldn't have to use the bond money that we had and we wouldn't have to pay any interest on the bonds. Do you follow me?

Morris: If you hadn't sold them yet?

Brown: If we hadn't sold them we wouldn't have to pay interest on them, so we'd save that interest on maybe--I don't know how much the dam cost but let's say it cost a billion dollars. The bonds were then selling at four percent or three and a half percent. They were tax-exempt bonds at three and a half or four percent. So you'd save, on a billion dollars you'd save four million dollars a year, which was a lot of money then.

But we knew we had to build the dam later on and they told me, the engineers told me, that there would be an inflationary factor of six or seven percent if we didn't build the dam when we built it even though we didn't need the water then. So I had to weigh the monies that we'd save in interest as against the inflation in building the dam. I made the determination personally to go ahead with the building of the dam. But that's the only time I thought of inflation was in the construction of the Feather River Project. We proceeded to construct it by reason of inflation at the fastest rate possible. But when we talked about taxes, I knew salaries were going up. The employees were getting an annual salary rate and we probably discussed inflation, but as you're talking about it I have no recollection of it at all.

Morris: In other words, it was a small enough rate that it was not--

Brown: I don't think it was over four or five percent at that time.

Finance Director Bert Levit; Budget Hearings; Cigar Tax

Morris: How did you come to choose a Republican as your first director of Finance?

Brown: Bert Levit was an old friend of mine going back to high school days. He was a debater. When he was a senior, I was a freshman. He was two or three years ahead of me. He was one of my supporters when I ran for district attorney. So when I became district attorney of San Francisco I put Bert Levit in as in charge of the reorganization of the DA's office. He has a very efficient mechanical mind. He's a great intellect, but he was also a great organizer. So he came in and reorganized the DA's office for me and did a magnificent job. He went over to Alameda County and looked at what they were doing and the two of us together reorganized it.

When I became attorney general I asked Bert Levit to become my chief deputy attorney general to reorganize the AG's office. So he came in. He should get some real credit in the days ahead. He

Brown: did a great job there and stayed on for about six or eight months and then retired. So when I became governor I thought he'd done a good job on this [and] even though he knew nothing about state finances I asked him to go over and take a look at this. He had no experience in state government, but he moved in with Levitt efficiency and wouldn't tell me anything about the budget. He annoyed me very much sometimes because here I was the new governor and he said, "Leave me alone"--I mean this is the kind of guy he is--"until I come up with a program," which he finally did.

That's the reason I had appointed him. He had done well as my chief deputy as district attorney and my chief deputy as attorney general so then I made him head of the Department of Finance. I think he stayed only six or eight months.

Morris: Did it cause any problems with your Democratic--?

Brown: No, not at all because he was not identified with the Republican party. He had been one of my Republicans for Brown against Knowland. So he was a loyal supporter even though he was a registered Republican.

Morris: When you say he told you to go away and he would tend to the budget, did you have some discussions with him on general directions that you wanted to see the budget take?

Brown: Oh, yes, during my campaign I had an eight-point program or a nine-point program, I can't remember what it was, but with the development of the California water project, the fair employment practices act, a balanced budget, a department of trade. I told him I wanted all of these things in the budget. I kept my campaign promises on top of the desk and I just checked them off as they came along. So I told him what I wanted and he put all those things in.

Morris: At what point did he then come in and talk to you about it?

Brown: Oh, he would come in maybe once a week. He started before I took over as governor. I appointed him, I think, director of Finance within the first thirty days after my election. So he went up to Sacramento and I went up there and we met the various department heads. Then he went up there and lived during December, and worked with the Department of Finance and continued on in January. He'd go home weekends. He had his law practice but he gave that up during that period of time. He was with the firm of Long and Levitt. He was a senior partner. But he just devoted full time--ten and twelve hours a day--to this budget.

Brown: Of course, you know that under the budgetary system in California the Department of Finance starts its budget hearings around August or September of the year before. They were having hearings and they had completed their hearings, so he had reports. It was too late for him to sit in on those hearings. He also talked with Alan Post who was then the legislative analyst and worked with everybody. Then after he'd finished his budget and completed it, then I brought all my other advisors in. I can remember sitting there and talking about it. I had one man as my educational advisor in the governor's office itself. He was a teacher, a fellow named Richardson. He's now on the community college board down here.

Morris: Did he run for Superintendent of Public Instruction?

Brown: I think he did, yes. Ralph Richardson. Ralph was my advisor on education, but he came up with what we thought were unrealistic demands for education, some unrealistic demands from a political standpoint of increased taxes and things. I'll never forget my disillusionment with the academic community, because he was the real representative of the academic community, on his political naiveté (if I pronounce the word correctly). But I kept him on and he listened and he fought, but we overruled him. I remember that particularly.

One other thing that should be of interest in the financing, in my package program, as I say, I had a cigarette tax or an increase in it. I can't remember what it was. I also had a tax on cigars. One of my closest friends and one of my biggest contributors was a man by the name of Mark Glazer who was the head of Glazer Brothers. When I came up with the cigar tax, he violently opposed it.

Well, I didn't smoke cigars then but he used to send me at Christmas time three or four boxes of cigars. When I got into my budget, my tax program, we'd agreed upon additional taxes before Christmas. So he sent me the cigars for Christmas as he always did and I sent him a check for them and he was just outraged! It took him twelve years to recover from the insult that he was trying to bribe me with cigars. I tried to explain to him that I did it only to avoid embarrassment to him and to me. I was afraid if we got into any hearing, some Republican legislator would say, "Is it a fact that you sent cigars to the legislature and sent them to Governor Brown too?" So that was the reason I did it. That was my first real fight with special interests up there.

We were completely independent. We tried to be fair. You couldn't say that we were anti-rich or pro-anybody or anything like that. As a matter of fact, my inaugural speech, if you read

Brown: it, I talked about "responsible liberalism" and that was kind of the guiding light. That's a hard thing to define. It's like saying you're being good, but we tried to be responsibly liberal. I didn't want to go too far in any one direction.

Reorganization of State Government

Morris: When you brought Bert Levit in, did you see him also as someone who might help with reorganizing the state government?

Brown: Yes, I did. But I didn't particularly rely upon him. We got some other people to come in for the recommendation that resulted in the agency system. We reorganized our government. We had eight cabinet heads--eight or six, I think it was eight--in the agency system which during the eight years I was governor worked out very, very well. There were some departments that didn't fit in to one agency and we had to kind of put them in arbitrarily. But the system of having eight heads in the state of California, as were before there were twenty-five or twenty-six, was really very helpful to me during the eight years I was governor.

Morris: What were the origins of your interest in reorganizing government?

Brown: I was interested in reorganization of government. I talked to other governors. I talked to people who had been governors in other states before me, governors of comparable states, like maybe Illinois or New York. Averell Harriman was a very good friend of mine (he was defeated by Rockefeller) but I went back and talked with him. I can't remember what he told me or whether he suggested this agency or where we came--I can't remember where it came from.

Morris: Did it have any connection with anybody you talked to from the business world? Were there any parallels--

Brown: I set up a committee of some of the largest business leaders in the state. I met with them and told them what the problems were and asked for their support. But very frankly I never got very much help out of them because I found out that the making of money is a hell of a lot different from running state government. They're so busy at making money that they don't really have the opportunity to know a whole lot about state government. I later found out when I appointed this department store guy as the head of the Department of Finance, John Carr, who is really a fine human being and a man that I like very much, but he was a disaster as head of the Department of Finance.

Morris: Is this committee of business leaders you appointed the same committee that was authorized by the legislature to study reorganization?

Brown: Did they have a committee? I didn't even know that so I can't answer that.

Morris: You looked at your watch. Is there a time pressure?

Brown: No, no, I just happened to look at my watch because I have two watches and I'm never quite sure which one tells the right time.

Morris: Bert Levit, after he finished his stint as Department of Finance chairman, was chairman of the committee on reorganizing the state government.

Brown: Oh, was he? I'm afraid you're searching my memory for things that I don't remember.

Morris: Do you recall there being dissension as to whether the Department of Finance should be reorganized?

Brown: Yes, I remember that they wanted to reorganize the Department of Finance. As a matter of fact, the Department of Finance had the operation of all the buildings and everything else and we took away from them the properties, the management of properties, and turned it over to another department. They were very, very annoyed at that but I insisted upon it and it went through and it was a good move to separate finance from management: the budget makers and the operational people.

As a matter of fact, I think that we tried to pattern our budgetary system upon a budget projection--we were seeking program budgeting rather than line-item budgeting. I don't know whether we ever completely succeeded in achieving that. We tried it I think in one or two departments, but the tradition of line-item budgeting was so strong that we couldn't overcome it, as I remember it.

Morris: There were studies being done at the federal government level too, some of them originating in the Department of Defense that used some of these same concepts. I wondered if you were in touch with any of those?

Brown: Yes, we were. I can't remember who but we were seeking expertise wherever we could get it. We talked to people in the political science department at Harvard and here and various other places.

- Morris: Sometimes government reorganization is referred to as window dressing to stop complaints from people who feel there's too much government. Was there any of that?
- Brown: I think there's a great element of truth in it. Every new government that comes in wants to change the name of things and all it usually does is increase the number of employees rather than shorten them. But I do think that the line of command with the eight agencies was very, very helpful to me over the eight years I was governor; I don't know whether we saved any people. We had department heads, then we had an agency head over the related departments, so we really had eight super-agencies. There was some criticism that I was really increasing the cost of government by these eight agencies and maybe I did. I don't know. Of course, we also had the Master Plan for Higher Education and we set up the board of trustees of the state colleges. I don't know who controlled the state colleges before that.
- Morris: There had been a board but it had been under the Department of Education.
- Brown: That's right, and there wasn't any community college board at all. That was under the Department of Education I think until I went out of--maybe the last two years of my administration.
- Morris: The report on the reorganization study predicted that there would be sizable savings in departmental operations. I wondered if you recall whether that did materialize.
- Brown: I think it did. I think we saved substantial sums of money by putting this thing together. [on telephone] Would you get me a cold drink? I'm thirsty. [to Morris] Would you care for a cold drink?
- Morris: My tea is doing nicely.
- Brown: Your tea is doing fine? [on telephone] Tab will be fine.
- Morris: As I suggested on this outline that I prepared from your budget messages, I wondered if one of the ideas of reorganization might be to free some money to start new programs, if that was a concern once you got into the state finance--
- Brown: I don't think I thought we'd get more money to spend in different ways, but I'm sure that we wanted all the money we could get. Although the new programs I had were not very extensive. I think the consumer counsel was maybe \$250,000 a year and the tourist board was \$250,000 a year and the arts council was--those were the little, I used to call the the whipped cream on the pie or something. They were on the state [budget] but they didn't amount to very much money.

Reliance on Fred Dutton and Hale Champion

Morris: Did Bert Levit help you in selecting a replacement for director of Finance?

Brown: Who did I put in when he went out?

Morris: You put in John Carr. Several people have said that he wasn't terribly successful, and I wondered how you go about picking a department director?

Brown: When I took over my concept of one of the agencies was--I had Jack Henning in there and he was kind of secretary of labor. I forget what they call the labor agency.

Morris: Industrial relations?

Brown: I guess it was the industrial relations agency and then the other was the tremendous agency, the Department of Employment.* I put John Carr in as head of the Department of Employment and there he did a pretty good job. He was kind of a secretary of commerce, as I looked at it. I could have very easily called it that. One was the secretary of labor, one was the secretary of commerce. Later I put John Carr in as head of Finance.

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Brown: I thought I wanted somebody that knew fiscal management and a conservative, because I had a very liberal reputation. I thought it would be kind of point-counterpoint and so I put him in. But he wasn't very good.

[Governor Brown supplied the following answers to three questions sent him with the interview transcript.]

Morris: Do you recall what were the problems with John Carr as director of Finance?

Brown: John Carr didn't understand government. He was a fine man but absolutely no experience in the many needs of California. The Department of Finance is the key position in California government. The holder of this position must know every department of the state and give the governor advice on what to spend and what to save.

*John Henning served as director of the Department of Industrial Relations, 1959-1963. On January 10, 1963, the departments of industrial relations and employment became the Employment Relations Agency in the second round of Governor Brown's reorganization plan.

Morris: If he wasn't very good as director of Finance, why did you appoint Carr to head the Department of Employment?

Brown: He was head of the Department of Employment before Finance. Employment is much less demanding.

Morris: How had you gotten to know Carr in the first place? Had he worked on your campaign? Recommended by somebody? Who checked him out?

Brown: He had never been in government. He was the head of a large department store in Long Beach.

[Transcript resumes.]

Morris: Was that a general principle of yours in appointing people to your department chiefs and other positions?

Brown: Do you mean looking for balance?

Morris: Yes, in the conservative and liberal sense.

Brown: I think that I certainly had a liberal coloration and I was an economic liberal in the definition of that term, where I felt government had to assist those that didn't have the ability to make money, let me put it that way. I felt that not to try to equalize everybody or balance everybody off, but to take the mentally ill and mentally retarded or the blind or those that had disabilities like orphans or minorities, I did feel that government had to do something to supplement their lives and their income and I tried to do that. But I didn't say I'm going to put a reactionary or Republican in as head of the Department of Finance so the people would say this guy is fiscally responsible, but maybe in the back of my mind that was what I was thinking.

Morris: Let's see, John Carr stayed until the middle of '61.

Brown: When did Bert Levit resign, do you remember?

Morris: He recalls it as being August of '59. I have a note that Hale Champion took over in the summer of '61, so it looks like John Carr was there for about two years. Was there something specific that led you to ask him to go back to private industry if he got--?

Brown: There was something that caused me to do it. He made some statements or did something but I can't remember what it was. His whole--I began to get rumblings out of the Department of Finance and other departments, that he was a bear enough, or a bull in a china shop, so I just had to get rid of him. I'm surprised he lasted that long from August of--he lasted for two years. I didn't know he lasted that long. Did Hale Champion succeed him?

Morris: Yes, he did, and that's also an unusual thing, at least in my experience, to have somebody from the governor's staff go into a departmental directorship.

Brown: Well, you see the principle. The most important person in my administration was Fred Dutton. Fred came into my administration-- he urged me as attorney general to run for governor. He was sending "meemoes" all the time--or memos, I call them "meemoes." [laughs] The reason I did that, when I was District Attorney of San Francisco I had a very good friend by the name of Bill Newsom. Bill would come down and I'd say, "Gee, I'm having trouble with the police department." He would say to me, "You're district attorney. Send them a meemo, send them a meemo!" So I'd send them a meemo, so I've used that expression all the days of my life. What was your question? I lost it.

Morris: Hale Champion.

Brown: Oh, Hale. Fred Dutton was my principal advisor and I had tremendous confidence in him. He was my campaign chairman and wrote my speeches and wrote my program, and I had another man by the name of Warren Christopher who's now the Undersecretary of State who was another man in whom I had tremendous confidence, just the way that they would reason and rationalize and their objectivity. Fred I always felt was one of the sharpest guys I ever met and still do.

Hale Champion had written--he was a reporter for the San Francisco Chronicle and not a very high-salaried reporter. But he had written an article for a magazine that's now nonexistent called The Reporter. It was rather a critical article. So I called him in and said, "Hey, you've got me all wrong. I'll tell you what I'm going to do. I'd like to have you be my press secretary." So Hale came in as my press secretary and he turned out to be magnificent. So when Fred Dutton left me to go into the '60 campaign of President Kennedy after the convention in 1960, I appointed Hale as my executive secretary and I found him to be tremendous. He was really the most able man I ever had associated with me in government and also politically-wise. He was politically smart. He was really good, in my opinion.

Morris: Isn't that an unusual combination, to be politically astute and also organizationally sound?

Brown: Well, it's good if you can get it. There are people that are that way. But he knew me, he knew my faults and my virtues and it was a very pleasant association to have him as executive secretary. So when John Carr, I had to get rid of him, I wanted Hale to become

Brown: [director] and he said, "You shouldn't appoint me. All the newspaper people think that I'm a reporter and I'm still a newspaperman and if you put me in as head of the Department of Finance--"

I said, "I don't give a damn," and I really had to fight with him to take it because he had my interests at heart.

Of course, the executive secretary is a very important job because he's really the governor. The two most important jobs in the state are the executive secretary (Gray Davis is my son's) and then the head of the Department of Finance. These are the two keys to your government.

After Hale left, I never really had a press secretary that was as satisfactory as Hale. Hale had been a newspaperman, he'd watched the city hall, he'd watched political government. He was a Neimann scholar. He had gone to Stanford. So he was a well-educated man and in my opinion had excellent judgment.

Morris: Did you find him more effective in getting what you wanted done in the way of running the Department of Finance?

Brown: I wouldn't say that. I would say that I relied upon him. I mean a governor, you're the political leader of the state, you have policy decisions to make. There's a crisis every day of your life of some kind. You never know when there's going to be a scandal, somebody taking a bribe, and you're always campaigning for someone. So you have to leave most of your work to people in whom you have confidence. So I had great confidence in Hale. I had great confidence in Fred Dutton. Fred Dutton, of course, was only with me a year and a half. He left me really because of Chessman, although I think he liked Kennedy, and got into the Kennedy campaign.

Managing the Cost of Government: Accrual Accounting, State Income Tax Withholding

Morris: In terms of the actual running of the Department of Finance, in addition to the budget, were you concerned with controlling the cost of government?

Brown: Oh, yes, I was very much aware of the fact I wanted government to be under control. I had had one tax increase in '59 and I didn't want any more tax increases during my first term of office. As a matter of fact, I didn't want one during my second. There were new problems arising and the state was growing at the rate of four

Brown: hundred to five hundred thousand people a year, so I had to make major investments in other programs, but the prosperity of the state permitted me to do it without additional taxes until the very last year. I was able to avoid it until '65 or '66.

Back I think in '63--after I was re-elected--I tried to put in withholding, if you will remember, and I ran into a buzz saw on withholding. The one that recommended withholding to me was Governor Rockefeller. I used to talk with Rockefeller, not often but occasionally, about things that he felt were good and we'd talk about things and we were very, very friendly. He put in withholding and he managed to get another--he said, "I got another \$150 million from people who weren't paying their taxes. You can do this without increasing taxes and it's only one more line in the employer's check and they put it in the computer and it doesn't cost anybody anything to do it." So I fought for withholding but I couldn't get it. Then you remember the campaign of '66, one of Reagan's big issues was no withholding, his feet were in concrete against it, but he finally yielded because it was the sensible thing to do.

Then we also had what they call accrual accounting that we put into effect in '64, which people claimed was a subterfuge; and they still say it was a bad thing. But between you and me, most large corporations are run on an accrual basis. You have your bills and this is the way--there's no reason state government can't do exactly the same thing. Now, they repealed it because it was criticized. It was a device to avoid additional taxes. But I had certified public accountants tell me that this was the way to do it. I was able to get by in '66 with accrual accounting because I didn't have to take in so much money because the bills didn't have to be paid until after the--

Morris: It makes a major difference, doesn't it, the first year you--?

Brown: It makes a major difference in your fiscal program because you don't have to get the taxes until you need to pay the bills. Under the previous system, even though you didn't pay the bills until August or September, on July 1 you had to have enough money in the bank to--

Morris: All the money for the year.

Brown: All the money to pay it. I still don't understand it. I'd still like to have a certified public accountant explain to me why accrual accounting is not good for the State of California. I know they repealed it.

Morris: I think accountants argue very much among themselves as to what are standard, commonly accepted principles of accounting.

Brown: I think they do too, but I put it in, got it adopted by the legislature and it saved--I didn't want to increase taxes. You can't increase taxes in an election year. The legislators won't vote for it, so you had to get by.

Morris: You said you ran into a buzz saw on withholding state income tax. What was the objection there?

Brown: Well, the Republicans objected to it because I proposed it. They just weren't going to let me get another \$150 million in revenues without increasing taxes. Then some of my Democrats, even Alan Cranston, the controller, he came out against it which I haven't gotten over yet. I love Alan but I just--he was so wrong about it. He wouldn't even think of repealing withholding now. I mean everybody--it's an accepted form of fiscal management of the state.

Budget Compromises

Morris: On this line, after you'd gotten a tax package approved in '59, then in 1960, the Republicans introduced legislation to cut taxes. What was the reason for that?

Brown: Well, that was purely political. The budget is always a political fight. This is where they make their stand, because it takes two-thirds to pass the budget. They were in the minority, but they had more than one-third. So I had to deal with them on the budget every year and it's made me, as a matter of fact, an enemy of what I call the "tyranny of a minority." They would always hold me up on the budget every year for something they wanted and it was sheer, unadulterated politics. There was never any great, idealistic move in the thing.

Morris: When you say it was political, they wanted to have the budget go their way rather than--?

Brown: They wanted to accomplish something, they wanted to make me look back. They always fight over the budget ever year in California. They all want to cut something out or something else, cut out the consumer counsel or the Fair Employment Practices Commission. You've got to appropriate money for those things. So we'd usually have to compromise with them at the end and cut some things out. But it's just politics, that's all there is to it!

- Morris: Well, the other side of that is that quite often the budget as approved by the legislature turned out to be larger than what the governor submitted in the first place.
- Brown: Yes, they usually add things to it. Of course, under the California fiscal management, until the budget is passed, there's no other fiscal bills that can be introduced. I don't know whether they changed that, but when I was governor the budget had to be passed before any of their--if it were not in the governor's budget, then the legislators could not add to it before that.
- Morris: But they could increase an item that's already in the budget.
- Brown: I think they can decrease it, but they can't increase it. They could do it with the consent of the governor. They would come down and get my consent to an increase. But without my consent, they couldn't increase the budget. So after the budget passed, then they'd come along with special appropriation bills and sometimes they'd get them, too, and sometimes--but I would usually give consent. I'd have to do it because they had their little pet projects, too. It might be a new--I can't remember--something in their district they wanted.
- Morris: Something like overall increases in school funding?
- Brown: Something that they were--the chairman of the educational committee might want that. Somebody would have to refresh my recollection because I don't remember.
- Morris: It sounds as if it was a horse-trading kind of thing.
- Brown: That's right, but the governor had to be careful, because I did not want to increase taxes. I had one tax increase the first year which people forgot about, they were paying it, everybody was happy. I could go to them and say, "I had one tax increase in the whole four years and still we have a balanced budget and that's my program," and that's one of the reasons I defeated Nixon, because I had the balanced budget and only one tax increase and built the water project and everybody was happy.
- Morris: I lost my train of thought here.
- Brown: You were asking me whether it wasn't trading or something.
- Morris: Oh, horse-trading, in the legislature wanting their increases to something that you hadn't--

Brown: They have their fish to fry too, you know. The governor tries to take care of them, particularly the members of his majority party. But they have items. They want to go back and build a new courthouse in the area or something, a new road or some other damn thing.

Economic Development at Home and Abroad

Morris: Was the general level of the economy in the state such that you were getting a reasonable increase in revenue?

Brown: Yes, as I remember the economy was good in '59 and '60. We didn't have any depression during the first four years as governor.

Morris: Then what got you interested in the state having a role in economic planning and economic development?

Brown: Well, I just felt that every other state--not every other state but most of the states--had economic development agencies that were seeking to bring new business in for new jobs. I think we always had a relatively high unemployment rate in California and I wanted to bring new business in because more business would be more jobs and more taxes to do the things I thought government could do.

Morris: What was the legislature's response to your recommendation that there be an office of economic policy?

Brown: I think they went along with me on it. It was a very small budget. I don't think I had more than three or four people in it. It was really just a publicity item. All they could do was jawbone. I mean there were no tax advantages that they could present. Some of the states would buy land and give it to businesses at very low rents to encourage economic development. We never had anything like that at all.

Morris: Were there businessmen and corporate people involved in this effort at all? Were they looking for some state support or--?

Brown: Gee, I really didn't do very much--I really didn't get much input from business. I got most of it from other governors, Republican or Democrat, and my own concept of economic things that I would read. But the business community from a governmental standpoint was of no help to me whatsoever.

Morris: That's interesting. [tape interruption: telephone] The phone call sounded like you were speaking to south of the border.

Brown: I was talking to the governor of Baja California.

Morris: Along this line of your interest in economic development, you were also interested while you were governor in California's potential for foreign trade?

Brown: Right.

Morris: How did you go about pursuing that?

Brown: Well, I set up, under the Economic Development Agency, I set up a California office in Mexico City, in Tokyo, and in Rome. I had an appropriation, I think, of about \$300,000 and the purpose of this office was to tell citizens of Japan or business people in Japan the business opportunities in California and vice versa. For California people that wanted to do business in Japan, I tried to put people that had some experience in the Far East, in Latin America, and in Europe in those jobs. I can't remember the Rome office and I really haven't got a very distinct recollection of the Mexican office, but Jack Tomlinson who's now practicing law in San Francisco was the head of the Tokyo office. He had spent a great deal of time in the Far East and spoke some Japanese and spoke some other languages, some other Far Eastern languages; if you ever get the chance, you might interview Tomlinson. He'd be an interesting person to interview on our overseas development.

Morris: Right. There was also a project with Chile on agricultural and water--

Brown: Well, no, this was a completely different program. This was called the Chile-California program. This was a program the president of the United States--it came under AID. Instead of giving the money for economic development in these countries, President Kennedy decided to experiment with sending down people of particular interests in agriculture, in water development, in taxes, in every phase of government and send down people on a temporary basis to work right in the government and pay their salaries and their living expenses and everything else in Chile. So we entered into a tri-party agreement and I went back to Washington and signed it with the ambassador to Chile, with the president of the United States, and the state of California. We were the agent of the United States government in the AID program in Chile and we worked very closely with President Frey of Chile. I went down there and it was an excellent program. Reagan cut it out very unceremoniously and it was really an insult to the Chileans who liked the program

Brown: very much. I sent down, for example, my deputy director of the Department of Water Resources and three or four of his planners to survey the water development. I sent down people from the Department of Agriculture in agricultural sales and things and soil development. We sent down financial people from the Department of Finance to prepare budgets and taxes and it was really a good program.

Farm Labor Problems

Morris: Did you have a similarly close connection with Mexican officials in relation to the debates over Public Law 78, the bracero program?

Brown: No, I don't think we--I think we discussed it. I may have discussed it with the president of Mexico or the governor of Baja California but this was really a domestic issue. They were coming across the border, the wetbacks, and they were displacing the American migratory worker. The wetbacks were abused. The labor contractors were taking big commissions and paying them little wages and they lived under bad conditions, until the outcry got so great that we finally had to cut them out. But it was easier said than done. They haven't even solved it today, as you can see, because even though you prohibit them, they come across anyway. I mean the prosperity of this country is so great as compared with the poverty of Mexico that we couldn't do it. As a matter of fact, on one occasion, President Kennedy called me up and he said, "I've instructed the Ninth Army to control the border to keep the wetbacks out." I got a call from the general in command of the Ninth Army at the Presidio. He laughed and he said, "Governor, I got orders from the president to control the border. Just for your private information, we haven't got enough soldiers to control the border. [laughs] A twenty-four hour shift!" He said, "Do you realize how long that border is to the next border with Texas? [If] he wants us to do it, it will take more than we've got in the Army and I don't want to let people know that our Army's that small!" So that was the end of that.

But we did make a valiant effort to keep the wetbacks out.

Morris: What about the bracero program by which a certain number were allowed to come in as contract labor?

Brown: Well, we sought the repeal of that, I think. Wasn't it repealed?

Morris: It was repealed, but apparently it was quite controversial. For many years the growers--

Brown: They wanted it. They wanted the cheap labor. They wanted the cheap labor to grow and, of course, it was not only cheap labor. You can't get farm workers. People won't get down there and do that stoop labor, working those fields, and it's really rough. I mean farming is still a very, very tough business.

Morris: Did you have any contact with the people who were trying to organize the American farm workers?

Brown: Oh, yes, I can't remember who it was. But I had the liberals who were in and I had labor groups. Cesar Chavez, of course, came along later. He had the famous march from Delano to the state capitol in April of 1966. I remember he was to end up on Easter Day in Sacramento on the steps and he wanted me to be there to greet him?

Morris: In Sacramento?

Brown: In Sacramento. But I had my family down at Frank Sinatra's enclave in Palm Springs. I had my whole family down there and by golly I wasn't going to leave my family on Easter. I was going to church with them and I told Chavez that and they got up and gave me hell.

Morris: Before Chavez, there was a man named Ernesto Galarza who had been organizing for the National Agricultural Workers Union. His feeling was that it was difficult for the farm workers to get a hearing in Sacramento.

Brown: Well, you see when I first went in to govern, when I first went in there, you had a rural senate. You had one senator representing three counties and sometimes a senator would only represent a relatively few people, maybe 100,000 people against one senator from Los Angeles with ten million people. So the rural senate was always able to block any laws that we might pass with respect to the wetbacks and Mexican labor. So it wasn't until the decision came along for one man, one vote where the cities came in with their greater representation. But before that it was very difficult to get any legislation through the state senate which was rural in character and far more conservative than the assembly.

Morris: In the sixties there were various efforts for doing something about the Chicanos in special needs for education and housing and I wondered if that was something that you particularly took an interest in or if that was--?

Brown: I did take a particular interest in the Chicanos because I felt that they were really very second-class citizens--they were third-class citizens. As a matter of fact, an alien--this was not

Brown: particularly true of Mexicans, it was true of any alien--if you were not a citizen, you could not get old age assistance in California.

I went to a meeting of Cesar Chavez's group one day and Dolores Huerta got hold of me. She's still with the Chavez--a very attractive girl. She had five or six children and she didn't dress very well, but she had a real feminine attractiveness. She got hold of me and said, "It's very unfair. These old people have been here in this country for maybe forty or fifty years and they've never become citizens for various reasons. Some of them can't speak the language, some of them are illiterate, but they've been here all their lives. They came over as youngsters and they are completely dependent for support upon their children who are American citizens."

So I signed the law and that was one of the greatest things I ever did. That gave them old age assistance in California, the same as a citizen if they lived here. I think we made them live here for ten years or something. When I signed that bill, all those old people (who were not only the old Chicanos, but we also had Chinese who have been here a long, long time, and other nationalities), they were all up there when I signed it and, God, they pretty nearly kissed my feet because I signed it.

But I really felt, as governor, I used to really want to reach out and have the government do what they could for the most needy citizens in the state of California. That was my thrust, my objective, all the time. Sometimes you couldn't see it or feel it but you were hoping that your good works would reach out and that was one that I really felt good about.

Morris: Was the bill just related to California? It wasn't tied to any federal program or anything like that?

Brown: No, it was a state--I signed it. I can't remember what it was, but I signed it and it gave them benefits that they didn't get before.

Mental Health: Program and Funding Shifts

Brown: One other thing that I think should be mentioned in the history of my governorship. It goes back to the very beginning of my administration. I made a nationwide search, as you know, for a head of the Department of Mental Hygiene and I got hold of a

Brown: Dr. Dan Blain who was the executive secretary of the American Psychiatric Association. He came out and I had put in the budget a new state mental hospital in the state because California was growing at the rate of 400,000 people a year or 350,000, and there was no indication that this growth would stop.

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Brown: --Blain came in. He picked his own assistant. I don't know where he got him, but he had his own assistant. After he had been there about two or three weeks he came down and he said, "Governor, I see you've got in the budget six million dollars to start a new state mental hospital. I don't want any new state mental hospital. I want to put it into program." I said, "But Doctor, we have more people coming in here and we're not going to be able to house them."

He said, "I don't want the job if you're going to build more state mental hospitals. I want to diminish the state hospitals to those that we can really take care of." Well, it was with great reluctance that I went along but he threatened to quit if I didn't, or not take the job. So we went along and we got the population down from some 30,000 in the state to some 21,000 when I left. But the fact is that we put it into program.

At his recommendation, we set up a program for psychiatric technicians where we upgraded them. Before that they were just merely bug housers. We had special courses in psychiatry so that they were really aides to the doctors who could only be on the job on a short basis. But I think one of the great things I did was bring in D.M. Blain who people regarded as a great head of our department of mental institutions. I had trouble replacing him too. He left at the end of three or four years.

Morris: Right. Did you use a search committee or did you detail somebody in your office?

Brown: No, no, I used a committee of doctors from the University of Southern California, University of California at Los Angeles, and the University of California at San Francisco. I appointed a committee of three to make a nationwide search for the head.

Morris: While Dan Blain was director there was also a long range plan for mental health services. Do you recall whether that was his idea or your idea or the legislature's?

Brown: I would say that it was probably his idea. What we wanted to do, we wanted to, first we wanted to get rid of the senile. We wanted to take them out of the state hospitals, the people that just had

Brown: reached old age and they had lost their mental capacities because there was nothing you could do for them. We wanted to get people in the mental hospitals that we could do something about and where modern medicine could help them.

Then, of course, there was the Short-Doyle Act during my administration too and that was one where we encouraged setting up community mental health clinics of various kinds where people would stay in their own community and the state would pay 50 percent and the county would pay 50 percent. We gradually increased that, I think, to 75 percent-25 percent and now it's up to 90 percent-10 percent, so it's gone along.*

One other phase of my programming that I take great pride in-- when I was attorney general, a mother with a retarded child would come to me (and you'd be surprised the number of parents that have retarded children) and they'd come to me and they'd say, "Governor, can you use your influence to get my retarded child in the hospital? We have three children and this one little retarded child, we all have to spend our lives trying to take care of him and the child should really be institutionalized." But there was a waiting list of maybe 3,000 or 3,500.

I thought to myself when I took over the Department of Mental Hygiene, let me tell you this is a great big rich state and those of us that have normal children should share the burden of those who have the retarded child. [pounding on desk] So I don't give a damn what it costs, I want to take every retarded child, and I'll put it in the budget, into a state institution. I want to give them the best possible care that you can give them and I'll put it in the budget.

I said, "How much will it cost?" They said, "It will cost six million dollars" or some other sum and, by golly, we raised it. But I found out after we moved that list and got maybe 3,000 into state hospitals (I don't think it was that high, I mean on the list, because if you were down that low it looked like you'd die of old age before you got into a mental institution. So they had to put them in private facilities or other places) it was only the

*The original Short-Doyle Act was passed in 1957. In 1963, Governor Brown signed legislation increasing state subvention for community mental health services to 75 percent for local programs started before October 1965. In 1965, the Lanterman-Petris-Short Act increased reimbursement to 90 percent.

Brown: tip of the iceberg. There were a hell of a lot more retarded children that should have been institutionalized. So I don't think we ever really caught up.

I also went down to the state hospitals and I'd visit the retarded children. I mean, God, did you ever see those kids? Have you ever been to those hospitals, with the big heads, the mongoloids and all that? It's really a very, very sad thing. Down in Porterville, for example, I'll never forget going in: they didn't know I was coming in either because I was down there on something else and I walked in and here the mother's club of Porterville would dress these little girls like you dress your little baby and they would pick them up and bring them dolls in this state hospital. It was really very, very nice. I told Jerry about it (my son) and he's tried to get community involvement in these state hospitals. Whether he's succeeded or not, I don't know. But that's what people should do.

Morris: Frank Lanterman in the assembly was also very much involved in mental health and mental retardation.

Brown: He never was involved in it particularly when I was governor. I think he's an old phony and an old fake. He never did anything for human beings during the eight years I was governor. I mean he was a very pleasant guy and played the organ, but--

You know some of the things they did, this Lanterman-Petris Act [1967], which provides for the civil rights of the mentally ill, we never abused the civil rights of the mentally ill. They were very, very careful of it but there are some people that are dangerous to themselves or dangerous to society. Like a person that has tuberculosis or has a contagious disease and they have to be isolated, some of these people are really dangerous and they need help and they can be helped but they don't know it. A jury is not the right way to determine whether you are sick or whether you need hospitalization, although you could always get it even then.

They returned these people to the community, but as a matter of fact the community was not ready for them. Big institutions are not good where you have four or five thousand patients. On the other hand, I've seen some of the small institutions, turn them over to private control, and the people have had to make money and please believe me, those people are shortchanged on food and recreation and a lot of other things. It's a very, very difficult thing. Mental illness and mental retardation is a real cross to carry and I don't think we've ever solved it.

Brown: With the high cost of medical attention (and every one of these people need medical attention in addition to their psychiatric care) Jerry's been criticized for not giving enough money and I think rightly so. I don't think he's ever invested enough in the mentally ill of this state. I don't know where he gets his reports. The Department of Finance is pretty cold-blooded about these things and you've got to watch it.

Federal Funding: Categorical Aid and Medi-Cal

Morris: There's one other area I'd like to touch on before your next appointment gets here and that's the matter of the impact of federal programming and federal funding on your administration.

Brown: Well, the biggest federal program we had was, of course, in highways. I mean that was the biggest one that we had. I don't remember. We didn't get these block grants during my administration. I was fighting for them, but I can't remember when they came along. But we didn't get a hell of a lot of money from the federal government during my administration--for programs. We got it for some things--

Morris: Subventions?

Brown: We got subventions for the university in scientific research and things, but some of the other block grants that they give to the states, we didn't get during the period that I was governor.

Morris: Going back to the summary of your budget messages, let's see what have we got? By 1966-67, your last budget, federal funding was over two billion dollars.

Brown: It was!

Morris: Yes. I was startled.

Brown: I didn't know that.

Morris: Well, a lot of it was, maybe categorical aid is the right term. Public assistance was \$485 million. Aid to Families with Dependent Children had gone up to \$216 million and then Aid to the Disabled had just begun in your administration. It was \$71 million that year. In education there was a lot of money for construction, \$340 million for higher education. There was \$705 million for the Department of Employment and I wondered if that was unemployment?

Brown: Yes, that's unemployment insurance because that's a national program. People work in one state, they come out and go to another. Yes, that's right. I forgot about that. That does refresh my recollection. In these categoric aid programs, they paid in some cases sixty and we paid thirty and the counties paid ten or 40-40-20. There were various divisions and they would make the block grants, old age pensions, and things like that, aid to dependent children. All of those things kept going up and up during my administration. They didn't have them before and people were discovering them. They didn't give any real aid, I don't think, prior to 1959, for unwed mothers and people like that. The details of it I can't remember, but now that you call it to my attention, you can see how they did go up during that period.

Morris: What kind of impact did it have on state administration costs?

Brown: Well, of course, anything they gave us, we were able to save money, why we'd probably pass it on to the individual who was getting the aid. Let's say that a family was getting \$200 a month from the state. Then the federal program would come along and assume part of that program, we would be able to give them more. So it had the effect of increasing the quantitative amount to the individual.

Morris: There was also the beginning of funding for health--

Brown: In 1966 we had the first Medi-Cal and Medicare. We were the first state in the union to take advantage of Medi-Cal and Medicaid. This was to the financially dependent. You had Medicare for the old people over 65 years of age which all the states got. But then there was subdivision of the same act which provided for Medi-Cal. I don't know how much the federal grant was or how much we had to put into it, but ours was relatively little and we took advantage of that. Before that each county took care of its own. You remember the county hospitals where people didn't have any money where they'd go. The effect of this was to permit people to go to their private doctors and private hospitals. So that was a real radical change. That came about in the last of my administration, in the last six months of my administration. I remember I wanted to limit it. I wanted to experiment with it. I wanted to see what we were doing and John--*

*Asked to complete this thought, Brown replied on the transcript: We wanted to proceed very slowly in one county and see how it worked. Paul Ward was really its leader in both Medicare and Medi-Cal.

Morris: John Wedemeyer in the social welfare department?

Brown: He was my director. No, it wasn't John Wedemeyer, but the assemblyman from--he later became deputy director of Health, Education and--a very able guy.

Morris: John Veneman?

Brown: John Veneman, yes. Veneman was the head of that [vice chairman, Assembly Health and Welfare Committee] and he insisted upon an open-ended Medi-Cal and I don't think we ever recovered from that. It was a serious mistake. We should have stuck with our guns. But I wanted it. He was the Republican who wanted a more liberal Medi-Cal program than we did.

Morris: That's interesting. On what grounds? I don't remember.

Brown: You'd have to talk to Paul Ward about it. I talked to him about it the other day.

Morris: Did you and Paul Ward agree on how you thought it should be run?

Brown: Oh, yes, I had complete confidence in Paul Ward. He was the head of my Health and Welfare Agency and he was damn good. He's now the president of the California Hospital Association.

Morris: Is he?

Brown: All my men did very well. I'm very proud of the people that I appointed.

Morris: Were you looking for different things in your agency administrators than you had in--?

Brown: Oh, yes. In the Department of Finance I wanted tight-fisted people. I mean I wanted people that would watch the budget. In health, education and welfare--not health, education and welfare--in Health and Welfare I wanted a person that was a liberal that had a sense of social justice. In unemployment, I wanted a businessman in the Department of Employment. In Industrial Relations I wanted a labor man. Those were the type of people I sought to pick. I wasn't so concerned about minorities as my son is. I was looking for the best man or woman irrespective of sex or color, but I was very much aware of the second class citizenship of blacks and minorities and tried to bring them into government as much as you could but it was really tough to find the right kind of Spanish-speaking Americans, between you and me.

Lobbying in Washington

Morris: On the federal programs, would you be involved at all with the congressional delegation?

Brown: For the first time during my administration, we appointed an individual to represent California in Washington. We set up a California office in Washington. We set up a California office in Washington and you had to pick a very diplomatic guy because the congressmen felt they were the representative of California and they didn't want anybody back there for a long time. When I told them I wanted a lobbyist back there, they were they lobbyists, the senators and the congressmen. So I can't remember the name of the first head of my California office in Washington. But the second one that I put in was a very, very able fellow. Both of them were very diplomatic and got along very well with the congressmen. As a matter of fact, I'm glad I brought that up because I want to see him when I'm back in Washington. Irvine Sprague, that's his name!

Morris: The man that you appointed is still there?

Brown: No, the first man that I appointed is now in North Carolina or some place. Sprague left me to become the deputy assistant secretary to Lyndon Johnson and now is the head of the Federal Deposit Insurance Corporation. I've got to see him, I want to call him. Before I forget about it I want to tell Jan. See how these things help me?

Morris: Good, good!

Brown: [tape interruption: telephone call] Thank you.

Morris: To keep the past and present going at the same time is quite an accomplishment!

Brown: I'm still vitally interested in government as you can understand. I'm very--

Morris: [tape interruption] Were there occasions where you would go back yourself because you wanted to encourage--?

Brown: Oh, yes, I would go back to Washington every two or three months and talk to the delegation. I'd meet with the Democrats, with whom I was very, very friendly. They were, every one of them was a close friend of mine because we'd grown up in Democratic politics

Brown: together, going back to the days of Culbert Olson when I first started out in Democratic politics when I was just a youngster, district attorney of San Francisco and even before that when I was a private practitioner and a young Democrat in San Francisco. So I would go back. I'd meet with the Republicans and Democrats too. I'd go back there and meet them all. That reminds me of something I wanted to--oh. [tape interruption]

Morris: In one of the reference books we're using, there was a suggestion that sometimes you felt that the federal government did not leave the state enough leeway or input into the kinds of legislation that was needed and the kind of funding there was for states.

Brown: I think too often the federal government would pass things of a national nature that I thought a state and its government could--maybe not do as well, but there were special conditions. The trouble with it is that if they give aid to Mississippi or some state that is undertaxing its people then they also have to give it to the state that's doing its job. As a result of which you had a gradual increase of federal interference with state government--interference is the wrong word to use--federal cooperation with state government. It's really--Washington then gets to be a labyrinth so big that it becomes almost uncontrollable. I think every political scientist would agree that if possible each state should do what it can itself. But you have such a transitory population. If you have people coming out to California, and you have high unemployment, it's really a national picture. Health insurance, no one state can have it because you get a group of people unemployed here and it's too much of a burden for one state. So it's a very difficult problem to reach the balance.

Morris: But on balance you felt that the federal funding was more help than hindrance?

Brown: Yes, I think so. I don't think it was a hindrance. They didn't interfere with what we were trying to do and we found them very cooperative. Of course, these programs have increased since I left the governor's office and I wouldn't say that either Reagan or Jerry, I don't know how they'd feel about it, but I'm telling you during the eight years I was governor it was all right.

Morris: Your administration, I think, is key to understanding federal financing because that's when the programs began to build up.

Brown: To emerge, and we lobbied. Irvine Sprague was a very, very excellent lobbyist. And very diplomatic--never stepped on the toes of the congressmen, would talk with them. He was reserved but yet very persistent. He'd tell me to come back when it was necessary or tell me to call that legislator. He watched them and told me who my friends and who my enemies were.

Morris: Where did you find Mr. Sprague?

Brown: What was Sprague doing? Oh, Sprague was the administrative assistant to John McFall who was one of the deans of the California legislature, one of the best too.* It was too bad he got defeated and involved in taking that goddamn dough in that Korean thing and then using it for his own family and things. John would have been Democratic number two and could have been speaker; very able and a fine guy. One of the most honest men I ever met.

But you get into politics and these people give you this money and you can't take money for doing things but people contribute to your campaign. I get three million dollars in a political campaign and you see that money coming in and you have things that you want to use it for and the separation between what's politically good and maybe what will benefit you. For example, you may give a party in Los Angeles for ten people that can be helpful to government. You pay for it out of the campaign expenditures and people would say you were using it for social purposes. How much more do you want to go on with this because I have another hour and I'm only going to be here for--I'm going to Washington on Sunday.

Some Political Judgments and Personalities

Morris: Okay, I've got just a couple more specific questions and then why don't we wind up for today.

Brown: Yes, because two hours are about all I can handle. I get tired.

Morris: I understand. I get tired too.

Brown: Yes, damn right! The questions are very good I might add though. They're very helpful.

Morris: Were the federal programs and the handling of the finances part of the trouble with the Department of Social Welfare that led to John Wedemeyer's departure?

Brown: I don't remember why he left. I can't remember.

*McFall served in the state assembly 1951-56, and in the House of Representatives 1957-1979.

Morris: Some of our sources indicate that there was "a mess in the Department of Social Welfare" and you asked for his resignation.

Brown: Jeez, I have no recollection. My recollection of John Wedemeyer was he knew social welfare, but like a lot of these pros in this business their political judgment isn't very good, but I don't think I asked for Wedemeyer's resignation. Maybe I did. I have no recollection of it. I think I put Winslow Christian in. I got him off the superior court and he later became my executive secretary.

Morris: Wasn't Christian the first head of the agency of health and welfare and, in a sense, Wedemeyer's boss?

Brown: Yes, and Wedemeyer was the head of the Department of Social Welfare. Wedemeyer was a man that I searched for, an expert that I brought into government. There's one overall--you'll notice that in all these branches I was not appointing politicians, I was appointing people that knew their job. Now, Jerry puts in a guy like [Mario] Obledo who's a fine lawyer, a gentleman, but what does he know about social welfare?

Morris: The other question about social welfare is about planning. Your administration encouraged a master plan in education, higher education and in mental hygiene. Was there ever any thought of a master plan for the social welfare department, since that's a continuous--?

Brown: I think we were continuously trying to find an answer to just welfare and relief and just giving these people money. I can't remember the programs we had but I'm sure, I don't know whether you'd call it a master plan but I can remember going down to the director's office, talking to these people and constantly prodding them for suggestions. They had a lingo all of their own which used to drive me crazy, though, in social welfare. They'd talk in initials--the TEC program and the LNG program--and I didn't know what the hell they were talking about. I used to get so damn mad! What is the LNG program? [laughter] They live with it every day and they use their symbolism.

Morris: I think they may have felt before other departments the impact of federal programs. For instance, AFDC--a lot of those were initials for federal programs.

Brown: Yes.

Morris: Okay, the other one is Roy Simpson.

Brown: Yes, but I had nothing to do with Roy Simpson. He was elected Superintendent of Public Instruction and he just retired on his own. I had nothing to do with him.

Morris: He recalls that you made a fairly strong suggestion that he retire.

Brown: Oh, you talked to him?

Morris: We did, and there's press clippings on it. There was a marvelous flurry in '62 in the papers that you had asked Roy Simpson to retire so that you could appoint somebody who could then run as an incumbent and your choice was Hugo Fisher.

Brown: Well, he was going to retire, I think, anyway. I wanted him to retire so I could appoint somebody. Maybe I did that. But he had been there a long time and I really wanted somebody else. He was not much help to me in the Department of Education and then that screwball was elected--Max Rafferty--one of the two most evil men I ever met. I mean he was absolutely--

There's only two men in politics that I really, really disliked. One of them was Max Rafferty and the other was Sam Yorty. Other people--Reagan and Nixon and other people--I fought hard, but never really disliked them, and don't dislike them today. But Yorty was a contemptible, under-the-table fighter with a capacity of meanness second to none and Rafferty was a liar. [laughs] So in my long political career they're the only two people that I actually disliked. Everybody else I had fought hard. Other people, like Bob Monagan, who was the speaker or the Republican leader--he was awful nasty, but I never really disliked Monagan. I didn't like what he was doing, but personally I kind of liked the guy.

But Yorty was sly. To this day I always felt that he was financed by the Republicans in this campaign against me and he undermined me in the primary so that I became an easy target for Reagan in the final, see?

Morris: Plus the factor of having been in office for two terms.

Brown: Oh, that hurt too and you had the black riots and I was for fair employment, I supported Proposition 14, the fair housing act, and it went down to disastrous--my fair housing bill went down to disastrous defeat at the hands of the people seventy-one to twenty-four or something like that. Do you remember that?

Morris: Yes.

XII THE CALIFORNIA STATE WATER PROJECT, 1950-1966

[Date of Interview: 24 April 1979]##

Background Experiences with Water Law and Water Issues as Attorney General, 1950-1958

Chall: You did come in as governor with a fully prepared program about water. Much of it seems to have come from your experience in the attorney general's office so I thought we'd go back over that and discuss your work for reorganization in 1956. I understand that one time, in 1955, it was, you took a strong stand against the [Francis] Lindsay bill [A.B. 777] because he would have practically done away with the use of the attorney general's office in the Department of Water Resources, that they contemplated setting up. The following year in the Weinberger sessions, you indicated that they should get the water program going regardless of the attorney general's place in the new department although you still wanted it to have some control over the Department of Water Resources.*

Brown: When was that?

Chall: You stated that in the Weinberger hearings.

Brown: Oh, in the Weinberger hearings.

Chall: Yes, so apparently you were ready to do some kind of compromising-- to what extent, I don't know.

*A Department of Water Resources for California; Report of the Assembly Interim Committee on Government Organization to the California Legislature, February 8, 1956. [Caspar Weinberger, chairman]



BEING GOVERNOR (clockwise)

With Phil Gibson, chief justice of the state Supreme Court, after administering the governor's oath of office, 1959

Brown's transition staff (left to right): Charles W. Johnson, Richard Tuck, Frederick Dutton, Warren Christopher, Jerry Maher, William Coblentz, Hale Champion, Julian Beck. San Francisco *Chronicle*, November 27, 1958

With Assembly Speaker Jesse Unruh and President John F. Kennedy at ground-breaking ceremonies for the San Luis Dam, August 1962

Time out for an office celebration



Brown: Well, I think you really ought to go back a little ways in the water project, if you don't mind. I'd go right back to law school. I took a summer--

Chall: Excuse me, I'll just tell you that that's all in Chita's [Amelia Fry] interview.*

Brown: Oh, is that all in Chita's? All about the water bonds and the attorney general's campaign too? I mean not the water bond campaign; my campaign for attorney general in 1950? Is that in there?

Chall: No, I think not. You did discuss what you'd learned in law school.

Brown: I had taken a course in water law from a man that wrote the water article in Cal Jurisprudence. But I hadn't touched water law in the seventeen years I'd been in private practice and seven years as the district attorney of San Francisco. But when I ran for attorney general in 1950, as I went into the Valley and spoke to the--what they then called the Irrigation Districts of California, I discovered that water was of critical importance to the people of this state and a critical political issue. You had the farmers on one side and you had the big landowners on the other, and you had the acreage limitation that went back to the Reclamation Act of 1902.

So I had to be briefed on it. I can't remember who briefed me on it, but I spoke with some of the attorneys in the attorney general's office and I recognized the political importance of water in 1950 although the only position I took was that I would build, or complete, or cooperate in a California water project of some kind. [Governor Earl] Warren had tried to do something but he had not worked too diligently for it. It was on the back burner during his first two terms.

So the very first case I had when I became attorney general was the case of Ivanhoe Irrigation District versus All Persons. This involved the validity of the acreage limitation. Did she go into all this?

Chall: Yes, and I'm going into it again with Abbott Goldberg.

Brown: Oh, are you. Well, let me just terminate it then by saying that the importance of the Ivanhoe Irrigation case was not so much the philosophic position on whether or not the acreage limitation was good

*See interview with Edmund G. Brown, Sr., "The Governor's Lawyer," in Earl Warren: Fellow Constitutional Officers, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1979.

Brown: or bad, but the right of the state of California to contract with the federal government if the federal government attached conditions to a grant for the building of a water project. If the position of my predecessor had been sustained, the only way that we could have got any money from the federal government was to change the federal law and I don't think they would have done that--or to change the constitution of the state of California.

So I reversed the position of my predecessor, Fred Howser, and sought the validation of the contract. We lost it in the superior court. We lost it by four to three in the supreme court of California, but won it unanimously with Earl Warren sitting in the case as the chief justice [United States Supreme Court]. I really feel that was the real big decision that made it possible to build the California Water Project and I don't think most people have given me the credit I think I'm entitled to for making that strong political decision to move ahead with Ivanhoe--to change the position of my predecessor on Ivanhoe irrigation. We had to fire an attorney who was being paid fifty or sixty thousand dollars a year, a man by the name of Arvin Shaw, and we handled it by the civil service lawyers in the AG's office. That's when we brought Abbott Goldberg into the case too. Abbott was assigned to it by me.

Chall: Oh, I see. He was a civil servant?

Brown: He was a civil servant in the attorney general's office, and I don't think he'd ever handled a water case before.

Chall: Is that right? He certainly learned fast, didn't he?

Brown: Well, no one in the attorney general's office had done any water law. They had retained outside counsel all the time.

Chall: Now, you just said a moment ago that as a result of winning that case, it provided the opportunity to put over the California Water Plan. How so? Why do you suppose that's true?

Brown: Well, I don't think California would have passed a bond issue much in excess of \$1.75 billion which we suggested in the 1959 Burns-Porter Act. We had to have the help of the federal government to build the project. We had to have it in the building of the San Luis Reservoir and we had to have it in water allocations and a great many other things. It was necessary for complete cooperation between the federal government and the state.

The contention of the opponents was that any federal law that required the adoption of the acreage limitation of the Reclamation Act of 1902 would be unconstitutional, would be an invalid contract under the constitution of the state of California. They claimed that the California constitution provided that water must be equally distributed in all land and that conflicted with the federal statute. So we

Brown: contended that the federal statute pre-empted in the matter of water because the water belonged to all the people of the United States and the Supreme Court upheld it.

Now, recently there have been some decisions. I haven't read them so I'm not prepared to pass judgment on them, but a decision in the Supreme Court of the United States, a four-to-three decision (I did read it but I can't remember it as I'm talking to you this morning), that holds that the state of California is in control of the water of the state. It seems to me that they overruled Ivanhoe Irrigation versus All Persons. So when you talk to Abbott Goldberg, you might ask him about that. I'm not prepared to say, but Abbott should know that.

Chall: That's the latest U.S. Supreme Court decision?

Brown: The latest Supreme Court decision, within the last--

Chall: This permitted then the partnership too.

Brown: Later on. You see, you started asking me questions about 1955 and the reorganization. I was a member of the California Water Authority. That was composed of the controller, the attorney general, the state engineer, the state treasurer, and I think the governor--oh, and the director of finance. Those were the five people on the California Water Authority. The state engineer was a man by the name of Bob Edmonston. Bob was a good water man and, of course, I had, during my campaign for attorney general in '50 and '54, I had run into all the big water users, and the proponents of acreage limitations, and the opponents of acreage limitation, and the opponents of diverting the water to southern California. So I became a pretty fair to middlin' water lawyer at this time.

When Cap [Caspar] Weinberger came into the attorney general's office in San Francisco [to talk to me about this] he was a Republican. I had been offered a job by his father many, many, many years before that, so we were very friendly. He said to me, "I think if you're going to build a California water project, we better have one authority to do it. You can't have all these different agencies that they now have." So I said to him, "I'll support you and I'll help you."

So he sold it to Governor Knight. So here you had the Republican governor, and the Democratic attorney general, and the Republican leader of the Ways and Means Committee, Cap Weinberger, all supporting the reorganization of the water departments of the state. So as a result of that, we put it over and that was another very, very good thing because it gave the governor, in 1959 when I was elected, it gave him the power to really run the project. He became almost a dictator of water because the director of water resources who made these

Brown: decisions and controlled all of the water and everything else, served at the pleasure of the governor. So the governor really controlled the water of the state of California.

Chall: And you could see that this was the way to go?

Brown: I thought that water was so complicated and so controversial; it wasn't a partisan issue. It was an issue of the different areas of the state. The Delta people were terribly afraid that if they even took that water down to southern California, with their big vote, that when they needed it, they wouldn't get it back.

We wrote an opinion which was somewhat controversial--controversial from a legal standpoint. Some of the lawyers in the attorney general's office didn't agree with it, but I signed it anyway because it gave the counties of origin the right to retake their water at any time that they needed it. It gave them a prior right. The opinion interpreting the statute gave them a prior right; it gave them a priority over the importer of water. So it would give the mountain areas, the county of origin, a first right to the water even though southern California, or the southern valley, or wherever the water was exported to needed the water.

When we wrote the opinion we felt the mountains would never need the water anyway. [laughs] I mean there was plenty of water for them up in the mountains, so when we talked about the county of origin where the water originated and said that they were entitled to a right, it was like telling someone that didn't have a--oh, I don't know. I can't think of a good example, but you know what I mean. It was a meaningless decision.

But later on, when it got into big arguments about southern California versus northern California and the water, or the southern San Joaquin Valley, I used it politically with great effect in arguing that the county of origin would give these people water. But what was the county of origin? Is it in the mountains where the water originates or is it in the valley where it starts? We never really--we left that quite foggy because we felt that there was plenty of water in the state to take care of anybody if we conserved it and stored the water.

So those two things, the reorganization of the water departments of the state and vesting authority in the governor, number one, and number two, the county of origin opinion during my attorney generalship were part of this very delicate political process of building the California Water Project.

Chall: Do you suppose that the success of that reorganization plan that Weinberger finally achieved was developed because Weinberger was in charge of putting it through?

Brown: Yes. You know, for a legislator to come down and talk to a Democratic attorney general and seek his help to build a project, and to have the vision to see the need of development of all the water of California was a real act of statesmanship in my opinion.

Chall: Can you recall what had occurred with the Lindsay bill? You took a strong stand against that and that was just a few years before.

Brown: What was the Lindsay bill?

Chall: I understand it was also a reorganization bill, but it would have removed the attorney general's office from the legal action on water in the new department.

Brown: I opposed any dilution of the powers of the attorney general in any shape, form, or manner. Constitutionally I felt that the attorney general was the chief law officer of the state and I did everything within my power to keep outside counsel out. Later on, we had the Department of Fish and Game and the Department of Water Resources was later in the development of the water, and there was a quarrel because the Department of Fish and Game wanted to file a suit to compel the Department of Water Resources to release more water into the San Joaquin for the purpose of fish and game. They wanted to go into court and let a court decide and I said, "No, we'll make the decision. The governor will make the decision." I decided against fish and game, wouldn't let them bring a suit. That was much later on. I can't give you the date of that, but I remember the controversy that existed.

Chall: So Weinberger--

Brown: Weinberger's entitled to great credit for that. But as I talk about my own work as attorney general, I become a little bit proud of the vision that I think I had.

Chall: While on the one hand the winning of the Ivanhoe case provided you and the state of California, as you say, with the future opportunity for getting the water plan through, it certainly brought out a lot of enmity toward you.

Brown: Oh, yes, it was enemies that I never lost after that because the farmers, the big farmers, the people that wanted that federal water, they wanted the acreage limitation repealed, and they would have done anything to get it repealed, and if they had won Ivanhoe, they felt that would be the pressure to get the federal government to repeal the acreage limitation.

Now, I wasn't really too keen for the acreage limitation. I became convinced that big farming in some crops and in some areas was far more sensible than acreage limitation, even though the acreage limitation provided, for a husband and a wife, 320 acres, and that

Brown: property was worth considerable money. Let's say it was worth \$1,000 an acre. Well, that's \$320,000. That's not a very small farm if you own a ranch worth \$320,000. So when you talk about acreage limitation... But I felt that there ought to be a better way of limiting the subsidy on water.

You see, under the federal reclamation act they sell that water for \$3.50 an acre-foot, and it cost about eighteen dollars to deliver it. So there's a fifteen dollars an acre-foot subsidy to these big farmers--Southern Pacific, Standard Oil, Kern County Land--and those people just reaped a terrific wealth there from the federal government. Now, under the state project, as it later developed, we charged them for--not the actual cost of the water because the domestic users paid for most of it--but we did charge them a much higher price for the water than the federal reclamation. They're paying in some of these areas, forty to fifty dollars an acre-foot, where they were only paying \$3.50 in the federal reclamation project.

So I would have favored probably corporate farming but under a limited shareholders program. In other words, to compel, if you are going to give a subsidy for water, to have a corporation composed of maybe a thousand people, none of whom would own more than maybe ten shares, then there'd be a real sharing of the benefits and you'd have economic farming.

But as I talk with you this morning, I'm not completely familiar with it. There was a man at Berkeley, a professor there, who fought for acreage limitation from pillar to post, wrote articles--

Chall: Professor [Paul] Taylor?

Brown: Professor Taylor. He had claimed me and praised me very highly when I changed the position of my predecessor in the water project. There's one other thing too that I think I told Chita, that when I was elected attorney general in 1950, the same month I was elected in November, the California Law Review devoted its entire issue to water law and the water problems of the state, and I read that from cover to cover. I became a real authority on the problems of water, probably more so than any lawyer except a lawyer that was writing on it or teaching water law in the state of California. I did that; I read it and reread it; read it from cover to cover.

We had the Herminghaus case, and we had the Ivanhoe case, and we had Rank versus Krug and we had Arizona versus California--these were all pros and cons in that article and I was intimately connected with all of those water cases.

Chall: I think that in terms of the 160-acre limit, we'll be coming back to that from time to time because it hung on as an issue.

Brown: It's still hanging on. It's still on as I'm talking to you today.

Chall: And I think that the people like Professor Taylor and the labor unions, and the Grange, felt that you had taken a stand philosophically for the 160-acre limit and then when you weren't concerned about it as such in the state water program, the Democrats, the liberal Democrats, and the other groups, felt that you had betrayed them. I'm not sure that it was ever clear that you were not really philosophically concerned as such with the 160-acre limit. It was a legal matter that you had been concerned with.

Brown: It was the extreme liberals who wanted to break up the big farms in the state of California. They felt the device of the delivery of water would do it. I was never convinced that the small farmer could succeed or would be good for the economy of the state and I don't know today as I talk to you whether that's true or not.

Later the political decision I had to make in connection with the acreage limitation was that if we put that in there, if we put the acreage limitation into the California Water Project as a lot of them wanted me to do--labor and other people--I felt we'd incur the opposition of some of the large landowners and they'd finance a campaign against my bond issue. So I felt it was more necessary to have water and that we could take care of any excess benefits later on. We could do it by breaking up the big farms. If they wanted to do it constitutionally or by initiative, they could do it. But I didn't want anything to stop the California Water Project.

Chall: We'll probably get back into some of that in a minute. I wanted to go back to the setting up of the Department of Water Resources. There was a bone of contention not only about the role of the attorney general, but about the kind of committee that would be used for the department, whether it would be a policy committee or an advisory committee. You took a stand that it should be an advisory committee only.

Brown: What committee is that?

Chall: That's now called the California Water Commission.

Brown: Oh, yes.

Chall: It was at first set up with seven members and then it increased to nine members, I think, through some bill of, I believe it was Pauline Davis. I sent you a list of the people whom you appointed to that commission and I was interested to know what kind of backgrounds did you have in mind when you made these appointments?

Brown: [reading list] Ralph Brody, John Bryant--Riverside, John Bunker, Ira Chrisman, John J. King, Edmund Koster, Norrie [Norris] Poulson, Marion Walker. Well, they were all people that dealt with water. They were all people that were from different parts of the state. Norrie Poulson was mayor of Los Angeles, and Marion Walker had run for state senate or assembly from Ventura and Ventura was one that I thought would need water later on. Grass Valley, of course, up in the mountains, and Petaluma and Sonoma County. Ira Chrisman down in Visalia, down in the valley. I don't remember John Bunker of Augusta. John Bryant, Riverside, was very active in water and Ralph Brody, of course, from Fresno. These were all people that had been actively working in water.

Chall: Did you ever change your mind about whether this was a good role for a commission or whether it might have been better to have been a policy making commission? The State Water Resources Board, its predecessor under the division [of Water Resources] had more authority to set policy and there were some people who felt that was better.

Brown: I still feel that to have a big commission, having hearings and things like that, that it was better to give to an executive the right to do these things, to give the governor the power. I don't know--they've modified the law now, I think, so that you do have a policy making commission. I forget what they call it today. But it's just like the Energy Commission of the state of California.

I agree with the situation where we appointed a department head and let the governor run the thing. The legislature can always change the law. But you get these damn commissions, and you put people on them, and they're part-time commissioners usually, and they become really bureaucrats in their handling. They're not subject to any political influence and whether you like it or not, the politics of being reelected is sometimes a good ingredient in making decisions.

I would compare it with the Coastal Commission today. We appoint people for a fixed term and they are just so bureaucratic--my son [Governor Edmund G. Brown, Jr.] called them "bureaucratic thugs." If you're a governor and you do these things you can change it. So I'm very happy that it was only an advisory commission and didn't have the power to make vital decisions--that we were able to make them at the department level. If we had the commission, we'd still be building that project.

Chall: I was interested in the statement that Harvey Banks had made in his interview.* He felt that it might better have been a different type of commission, one with more policy--

*See interview with Harvey O. Banks, California Water Project, 1955-1961, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1967, p. 42.

Brown: Oh, he said that?

Chall: Yes, he seemed to have felt that that might be better, and this was in 1967, I believe, when his interview was held.

Brown: I can't remember his view as I'm talking to you today.

Chall: He may not have expressed them to you either at the time. Were you in contact much with Mr. Brody at the time he was the chairman of the commission? I know you were closely in touch with him when he was your counsel. I wondered whether you had any relationships with him that were close after that, when there were still some rather important decisions to be made.

Brown: Well, when did I appoint him the attorney? Do you know? Have you got that time?

Chall: Brody?

Brown: Yes. I thought he came right in with me at the very beginning in 1959.

Chall: He did but then after the water bond was passed you appointed him to the commission.

Brown: Oh, he resigned after that. He went down to Fresno and went to work for that big--for Jack O'Neill and those people down there.

Chall: Yes, Westlands Water District.

Brown: Westlands Water District, yes.

Chall: So you made him the chairman of the California Water Commission.

Brown: Well, Ralph Brody had been one of the attorneys in the Bureau of Reclamation and in my study of the big fight between the Bureau of Reclamation and the California farmers, I supported the liberals, the [Harold] Ickes group in the Department of Interior. Ralph Brody was part of that; so was Bill Warne. These people had all been subject to a violent attack by Sheridan Downey in a book called They Would Rule the Valley. I thought that Downey was a very intemperate man. I read his book and I thought he was way out of line. So from my reading, and history, and my own political philosophy, I relied on liberals like Bill Warne and Ralph Brody to a tremendous extent, although I put Bill Warne in as the head of the Department of Fish and Game and later put him in charge of the Department of Water Resources. Abbott Goldberg had been with me in the attorney general's office. Abbott was a cold--I don't mean cold, he's a very warm guy--but he made up his mind and wouldn't change.

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Chall: You were talking about Abbott Goldberg. I'd like to know something about the way he worked.

Brown: Well, Abbott had never had anything in water law until he was assigned by me as attorney general to the Ivanhoe case and he didn't come into it until late, as I remember. The first two attorneys that worked on it were Bert Levit and I can't remember who else. Maybe I gave it to Abbott too. Bert Levit was my chief assistant. I think it was probably Ted Westphal who I appointed chief of the civil division. So I worked very closely with Abbott. He was one of the key men in the development of the California Water Project.

He got very close to a little attorney in the Bureau of Reclamation whose first name it seems to me was Lee-something--I can't remember it. But he was a little fighter. He represented the Department of Interior in all of these cases and he and Abbott Goldberg joined together. He was in the Ivanhoe Irrigation District versus All Persons because the United States government intervened in that case. They agreed philosophically.

You also had a battle--what they used to call state rights--and they didn't want the federal government to have anything to say about the water. But you've got to remember at that time we had a Democratic administration and the big farmers were all Republicans. They hadn't helped me. They had supported the opposition to me, so I wasn't about to do anything for them anyway. Now, that may sound like a small-gauge guy--that he would let politics interfere with his judgment on a thing like this, but that happens to be true.

Chall: Do you think that the problems of dealing with the large landowners, and southern California people, and the Metropolitan Water District, might have had something to do with the fact that Governor Knight just couldn't move beyond where he did move with respect to water? Many of the recommendations with respect to financing the water project, et cetera, were all made; many of them were there in place during his administration, but nothing could be done. I wondered whether it might have been a problem of just dealing with these factions, particularly if you're a Republican and you need their financial support.

Brown: Well, I think that certainly played a part in it. Knight couldn't fight the big landowners like I could because he needed their support as a Republican, number one. Number two, both the north and the south were afraid of each other. The northern California and southern California interests were all afraid. The Metropolitan Water District were afraid of the farmers and the farmers were afraid of the Metropolitan Water District. So they tried to write a constitutional amendment that would provide forever, or constitutionally, for the allocation of water. But it was absolutely impossible to write a

Brown: constitutional amendment and put in the constitution of the state of California declaring rights in water. I mean that southern California would have X acre-feet of water and northern California would have X acre-feet.

So Abbott Goldberg came to me, after I was elected governor, and said to me, "Governor, the question of water law, the question of a constitutional amendment, becomes important only if there isn't enough water, and there's sufficient water in the state of California to take care of everybody. So don't worry about a constitutional amendment. Build the project, build the dams, provide the water, and there will be no need for legislation because there will be water for everybody."

So based upon the studies and the report made to me, by the civil service people and the Department of Water Resources, that if we built the Feather River Dam, and if we built the Peripheral Canal, and if we built further dams up in the Eel River--up in the northwestern part of the state--there would be plenty of water to take care of California down to the year of maybe 2025, which is about as far as I would project myself, we wouldn't have to worry about water. Then, at that time, we figured that energy would be so cheap that we could have desalinization of the water to take care of the coastal areas and we used the Coastal California Water Project for the others. So that was the philosophy that motivated me in the water project and I think time has proven it to be correct.

But, you see, afterwards--now we're getting way ahead of our story--in 1970 or somewhere along there they passed the Wild Rivers Bill that took the northern California waters out of the project and made them wild rivers so you couldn't build any dam. He [Ronald Reagan] also didn't fight for the Peripheral Canal so as a result of that Peripheral Canal costs have been inflated to such a point now that it's almost impossible to build. So I regard Reagan as a destroyer of the California Water Project in the sense that he didn't fight for it like I did. He probably didn't know it. He didn't know water law, he didn't know the history of it, he didn't even know California. So that's one of the tragedies.

But the environmentalists in northern California, the Delta people, will put their arms around him and say that he saved the Bay Area from pollution and everything else.

Chall: Was there some concern at that point that the water plan as set out really wasn't going to be able to pay for itself and they had to cut back on it? They were always, as I see it, year by year differences of opinion about how much the plan was going to cost from the very beginning, where it ranges from eleven billion up or down, nobody knew for sure. When the Reagan people came in they felt there was going to be almost immediately a financial problem, and began to cut back. Was that a consideration that you think has some validity in it?

Brown: No, I don't think it has any validity because you need water. Whatever it costs you have to have it. It's like oil today. If you have to have oil, you've got to pay for it. What's the value of oil? What's the value of water? If you're crossing the desert and you haven't got a bottle of water, and there's no water any place in sight and someone comes along and says, "I'll sell you two spoonfuls of water for ten dollars," you'll pay for it.

The same thing is true in California. Whatever the cost of water is, it's relatively cheap alongside of the needs of a great big state that's now growing at the rate of 400,000 people a year. I think that cost is important. I mean you can't bring water down from Alaska when there's other available sources. But we looked at the economy of water and we just felt that that was the way to handle it.

The Campaign for Governor, 1958

Chall: Now, in your campaign for governor you set out in your speeches some ideas and statements about water which you had more or less stated during the past number of years--and others had too--about the big cost and cooperation with the federal government, and all this kind of thing. How important was water as such in your campaign for governor? When you and I are talking about water I'm likely to focus in on it as if it were the most important thing, but you had other things like FEP and--

Brown: Abolition of cross filing.

Chall: Abolition of cross filing. So how important did you feel that water was in your campaign?

Brown: I thought it was of tremendous importance. I felt it was almost the number one project. You get involved in the water of California, the water controversy, and it becomes a passion with you to see it, because it really meant the development of southern California, and the development of the agricultural areas of the state, and providing jobs. As a matter of fact, when they developed Century City here in southern California I went to the dedication and the head of the Aluminum Corporation of America who had purchased it from the Twentieth Century said to me, "If you didn't pass the water bonds and we didn't have the California Water Project, we never would have invested the billions that we're going to invest in Century City." So you see the offshoots of a project like that were tremendous. I can tell you it was almost number one. As I look back on what happened there were some other things that I think have had a more profound effect, but water was one of my proudest achievements.

Chall: Now, when you were campaigning you didn't campaign with any specific facts. You talked a lot about water and the fact that only the governor's office could provide the leadership for the project and all of that, but there were no specific facts on how it would be built. Were people, however, expecting that if you were elected governor, something really would be done with the water project? Were you campaigning with that idea in mind, that you were going to get support from certain groups because you were planning to put the water project over?

Brown: Really I didn't think of water in terms of if I support water it will help elect me governor. By this time I had been convinced that we needed the California Water Project and rightly or wrongly, I was going to push it through. When I talked about water I recognized it was a sectional issue and not a partisan issue and that's the way I talked about it. I still believe that to this day, that it was not partisan and I had to just be the water master of the state in building the California Water Project. I had to make the decision.

Of course, I had advisors. I had men that I depended upon like Ralph Brody and Abbott Goldberg during the campaign. I had all of those people that had assisted me, and I knew some of the big water people in the state. There was Jack O'Neill down in Fresno who was a big friend of mine and a big contributor.

Chall: Oh, he was?

Brown: Oh, yes, and so I worked right alongside of them.

Chall: Your idea, however, was to become elected and get Democrats in so that you could put the project over?

Brown: That's right.

Chall: There have been statements to the effect that the Republicans, in fact, had prepared all the ground work for the water program and the Democrats held out, particularly in the years 1957 and 1958, hoping that a Democrat would come in as governor and Democrats in the legislature, and then they would put it over. Do you suppose that there's any validity to that?

Brown: As a matter of fact, I talked with Assemblyman Vince [Vincent] Thomas, who was the Democratic floor leader, and we didn't cooperate with Governor Knight in the last year. We wanted the water project to be something that we could put over. But they were sticking at that time to the constitutional amendment. So even though there was certainly a political input, it was also the fact that Knight did not have the vision to see the impossibility of passing a constitutional amendment. He was fighting for that.

Brown: I suppose we could have passed some sort of a constitutional amendment but it might have prevented the passage of the water bonds later on. It's hard to say. But there was, as a matter of fact, politics in it. I worked for the Democratic minority or majority to see that there was no water project until I was elected governor.

Chall: So, in other words, you were definitely laying the ground work for your water plan a year or two ahead?

Brown: Well, I was laying it back when I was on the Water Project Authority when Bob Edmonston stood me up against the wall and said, "If you want to leave your mark in history, you build that California Water Project." You've got to remember, when we're talking about the California Water Project we're talking about the Feather River Dam, we're talking about the San Luis Reservoir, we're talking about pumping the water over the Tehachapis. That was all in Bob Edmonston's water plan.

I'm not a water engineer and I'm not a person that knows the sources of water or how to measure acre-feet of water. I was essentially a politician in what I consider the best sense of the word. That was the project itself. Now, how do you achieve that? How do you get it done? That was the political phase of it which to my mind was just as great an achievement as the engineering. As a matter of fact, it was a more subtle and more difficult thing to do. I had to fight later on all of my close friends in the legislature--Senator [George] Miller, Senator [Stephen] Teale, and all of the people that were in the upper San Joaquin Valley, and the San Francisco Bay Area. You see, you had a rural senate then and these were the most powerful legislators.

The fact that I selected Hugh Burns to carry the bill in the senate and we started in the senate, in the rural areas, and then had Carley Porter in the assembly--this was political genius if I do say so myself. I can remember laughing and thinking what a great thing this is to call it the Burns-Porter bill. I look back on it now and it was really an achievement.

The Burns-Porter Act, SB 1106

Chall: I still read material that says that Burns wrote the act, authored the act, which Mr. Grody in his article claims is not so, that actually Mr. Ralph Brody wrote the Burns-Porter Act.* Was Brody basically the author of that act?

*Harvey P. Grody, "From North to South: The Feather River Project and Other Legislative Water Struggles in the 1950s," Southern California Quarterly (Fall, 1978), pp. 287-326.

Brown: Yes, he was. Burns couldn't--Burns didn't know water law or anything like that. He just needed water for the valley down there. He was a very good pupil in arguing for water on the floor, but Ralph Brody sat right beside him on the floor of the senate telling him what to say. Ralph Brody was the actual drafter of the act. Of course, he had legislative help. He had people that had had experience in writing acts.

Chall: The basic difference between the Burns-Porter Act and all of the other statements that you had made when you were attorney general, and in your campaigns, the one subtle change--and it wasn't so subtle--was going for the bond package, and as legislation--as a statute. Now, whose idea was that? That's really a crucial change in detail.

Brown: I really think Abbott Goldberg was more responsible for that than anybody. I think he was responsible for influencing me to not try to go for a constitutional amendment, to go for a legislative act and a bond act. I think on the bond act itself, which gave authority to the governor to issue these bonds, I think that was the composite political judgment of Brody, and Goldberg, and Harvey Banks, who was then the director of water resources, and myself.

Chall: Somebody has credited Hugo Fisher with that.

Brown: No, Hugo Fisher wasn't even in water at that time. I can't remember who was in the legislature that we depended upon the most, but Hugo Fisher didn't come in until much later. He was not entitled to credit for that.

Now, the size of the bond issue, the \$1.75 billion bond issue, that has to be credited to Norrie Poulson who was then the mayor of Los Angeles. We were questioning could we ever pass a bond act of \$1.75 billion? We didn't know exactly the cost of the project. We hadn't priced it out to any exactitude. As a matter of fact, we thought it would cost more than the \$1.75 billion, probably in the neighborhood of \$2.50 billion. But we figured there would be other sources of water. So the question was, we could get \$500 million and build the Feather River Dam and get the project started. Then you had to complete it.

I remember someone telling me about how Huey Long operated in Louisiana where the legislature wouldn't give him the money to build a road. So he built a road. He started at one end, built it to here and left a big gap. Then the legislature had to change it. So people told me about that, I can remember, and said, "Why don't you do that? Build here and build here and then they'll have to complete it."

But Norrie convinced me that if we were going to pass the bond issue at all, if we were going to satisfy them, we had to take care of every part of the state. The \$1.75 billion, plus tideland oil

Brown: revenues which was to be added to the project would complete the canal throughout the state. I can remember arguing, "We'll take one great natural resource, oil, and we'll create another great natural resource, water," which was a good argument. I don't know how much of tideland oil has gone into it, but that was one of the arguments that we used. We had to put tideland revenues in the project.

Now, Ralph Nader later came along and wrote a scathing article on the California Water Project and claimed that I lied to the people of the state in the actual cost of the water. Now, as a matter of fact, he never talked to me, nor did any of his people ever discuss it with me, as to whether or not I lied, to give me an opportunity to explain it. He just made the bold statement, he issued this statement to the press. I don't think I was ever more infuriated since I left the governor's office to have a man like Nader come out here to California, after I'd fought so hard for the water project, and to criticize me without giving me a chance to reply.

If he'd called me up and said, "These are the facts. What about it?" But he didn't even give me an opportunity to plead "not guilty" and I've never had any use for Ralph Nader since. There's the old Latin expression "falsio in unius falsio in omnibus"--"false in one, false in all," and that's the way I felt about Ralph Nader.

As a matter of fact, we had consultants, I mean on the financing, on the bond issue. I can't remember who they were. I think there was a man from Boston, Massachusetts. I can't remember the name of the firm.

Chall: Main, I think. [Charles T. Main]

Brown: Main, yes. The Delta people, the big farmers that opposed the water project, they retained other consultants. So the people had the two reports of financial people before them, and for Nader to say that the people were lied to by me is a complete exaggeration.

Chall: Do you think though that people can make these statements--though lying--that's a rather tough word--in view of the fact that nobody really knew how much it was going to cost? Erwin Cooper points out in his book that the initial plan was based on something that might cost \$2.5 billion, but from the time the bond act, SB 1106, was passed in the legislature in June, 1959, until the election in November, 1960, the engineers were continually cutting down the size of the project.*

*Erwin Cooper, Aqueduct Empire (Glendale, California: The Arthur H. Clark Company, 1968), pp. 230-231.

Brown: Well, there's some truth in that, but as a matter of fact to cost-price it out completely you almost had to develop the whole plan. We didn't want to delay the project for maybe two or three or four years. We did know the exact amount of the bond issue, \$1.75 billion. That's the largest bond issue in the history of any state.

When they say it doesn't include interest anybody could easily compute the interest on the bond issue or they can estimate it. When you pass a school bond issue for \$250 million payable forty years later, you never say the bond issue is going to cost double that at the present time. You say it's a \$250 million bond issue and the interest rates will be whatever the interest is at the time. So when he says we didn't count the interest, in no bond issue that I know of have they ever added on the interest, except opponents that may want to add the interest charges on a project.

We had four bond issues on the ballot in 1962. We had one for schools, elementary and secondary schools; that was \$250 million. We had one for beaches and parks; that was \$250 million. We had one for university and state colleges; that was \$250 million. We had one on veterans' loans. That was one billion dollars worth of bonds that we were issuing in one year and we never added the interest on them and said six percent over forty years will be X number of dollars. You don't talk that way. People presumptively know you pay interest on those bonds.

Chall: When you spell it out, and Bruce Allen did in some of his material, that would indicate that the price of the water program would be doubled. Of course, his idea was to pay as you go. That idea held on for quite awhile. There was no pay-as-you-go in your plan.

Brown: We never paid any attention to him. You could not depend on the legislature to appropriate money every session for the project. You would not tell what particular benefits went to what areas of the state. I'm glad we had the bond issue. The bonds averaged out about four percent. The bonds now, of course, with interest rates of ten and twelve percent, they're selling I guess--the three and a half percent bonds we sold must be selling for maybe around \$55 and \$60 now.

Chall: Some of the later ones must have cost more in interest because I think it was some time in the seventies that there was a proposition on the ballot to allow the state to raise the interest rates to seven percent, to pay off bonds.

Brown: Did that pass?

Chall: Yes, by a small margin.

Brown: Have all those bonds been issued now, do you know?

Chall: I don't know, but I think they probably haven't if they were going according to the original plan. I do think that Reagan planned to sell them off a little faster at one point.

Brown: As a matter of fact when the project of the Feather River Dam was built--I had to make a decision personally as to whether to build the Feather River Dam. Some people claimed that we didn't need the dam; we could use the rest of the project, the San Luis Reservoir. We didn't need that water behind the dam until probably 1970 or some such date. It was down the road quite a bit.

Chall: Dillon Reed, I think.

Brown: Dillon Reed. Whatever they told us to do. But other people came along and showed me that the inflationary rate would be X dollars, that the inflationary costs would be tremendous in ten or fifteen years. So if we issued the bonds and built the dam, even though we didn't need it back in 1960 or '61, we figured that it was cheaper to do it then. It was almost a stand off. I mean don't build the dam, don't pay interest on those bonds, as against inflationary costs in those days. I mean inflation was only three or four percent.

But the thing that finally moved me to build the Feather River Dam: I was sitting there one day in the governor's office and I thought, say there's another big flood like there was in 1955. Say that people were killed because we didn't build the flood control features of the California Water Plan. I would feel very badly about it and, as a matter of fact, in 1964 we did have torrential rains and we would have had a flood. The dam was only half up, but it was up just enough to save Marysville and Yuba City. So I was again vindicated in the decisions that I had to make.

Chall: When you say it was a stand off, does that mean within your administrative family and with the Department of Water Resources people?

Brown: I would say that the finance people wanted me to delay it; the water people wanted to build it. They're builders; they like to see those projects built. But it was I that made the decision myself and I based it upon flood control, because interest and inflation was almost the same at the time.

Chall: Now, that did create some financing problems quite soon as the consultants had said it would if you built it right away.

Brown: Because the other people didn't need the water right away. You couldn't sell the water.

Chall: That's right, you couldn't sell the water, and this resulted in the decision to go back and get--

Brown: More money.

Chall: Well, not only more money but to use the Central Valley Project bonds. Do you recall the court case? I think it was Warne versus Harkness?

Brown: Yes, that was the Department of Water Resources against the Department of Finance, and the supreme court validated the sale of those bonds which we thought they'd do. That was Phil Gibson, the chief justice, with whom I worked very closely. [laughs] He was a great chief justice and it was great to validate those bonds. Miller fought it, George Miller and those fellows. They all fought [it]. But we needed all that money. But we got it. Have you got something on that there?

Chall: Let's see. [goes through papers] I don't have anything on the court cases with me. There were several court cases that you had to make some--

Brown: Oh, yes, we had to validate the Burns-Porter Act. We had to get that done.

Chall: That was the Marquardt [Metropolitan Water District versus Marquardt] case.

Brown: I don't remember which one it was, but the fact is that the chief justice worked very, very closely with me in all of those decisions. You see the supreme court didn't have to take original jurisdiction in those cases. But I would call the chief justice up and I would say, "Chief, this is very important. I want you to take it," and invariably he did.

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Brown: I can't remember the maneuverings; all I can remember is we maneuvered. You see, in the first instance we passed the Burns-Porter Act in the senate first and there were some imperfections in the bill that we discovered later.

Chall: What kind?

Brown: I can't remember what they were. Maybe Ralph or Abbott would remember that.

Chall: Were they legal imperfections?

Brown: Whether they were legal or technical imperfections I really can't say.

Chall: In the bond act, in the act itself?

Brown: In the act itself. There were some things that we would have liked to have cleared up. But when it got over to the assembly, we passed it intact. We didn't change one syllable in it because if we did it

Brown: would have had to go back to the senate for concurrence in the amendments and we never felt we could get those votes again. I jammed them through with all of the power of a governor with a million vote plurality, and I just gave it everything I had.

Chall: How were you able to do that? Grody [on page 300 of his article] quotes you as saying that you "begged, pleaded, urged and cajoled," and Weinberger, in a little article that I saw in Western Water News in August, 1959, right after the bill had been signed, said that you "pleaded, begged, threatened, and browbeat the Democratic senators." [laughs]

Brown: I did, I did. I did everything. They used to say that I had a reputation of listening to the last person that talked with me. I think it grew out of the Chessman case. But in the issues of major importance, I never retreated one iota--like fair housing, fair employment practices, cross filing, and the water project. They were all--you know, we played a tough poker game in those things.

In passing the bond issue, for example, the Metropolitan Water District really wanted to dominate the project and the L.A. Times and the Metropolitan Water District both threatened to oppose the bond issue unless I made changes in the act. One of the changes they wanted, they didn't want the east aqueduct to be built. They wanted it all to go through the Metropolitan and the Metropolitan would have controlled the whole water of the south. And they had good arguments for it. It was the second California water project. But we felt that it was a state project and the state should dominate it, and I'm glad we did because now we have an overwhelming vote in Southern California, for the time being, and a great need for water down here. It's a question whether they wouldn't use that power to hurt some of the northern Californians.

Chall: Can you give me any instance of how you "threatened, browbeat, cajoled?"

Brown: Oh, I can't remember specifically. The one I had a tough time with was Gene McAteer. He was my closest friend, my campaign chairman--in the state senate. We were close personal friends, I mean social friends. As a matter of fact, his wife still is. At my birthday party Saturday night, why, she was there with her boy friend. I think McAteer wanted a judgeship for a man that helped him get through the bar examination, a fellow named Glickburg or something. He wouldn't vote for it until I promised to appoint this guy judge, which I finally did. He turned out to be a poor judge too by the way. He was finally defeated because of his injudicial remarks on the bench.

Chall: But you did need McAteer's vote?

Brown: I did need McAteer's vote. I can't remember. There were two or three others that I needed and I did an awful lot of trading. I did a lot of trading in the legislature, commitments. I can't remember what they were now.

Chall: It's also claimed that you had to make some strong promises to Hugh Burns in order to get him, not only to carry the act, but to stay with it toward the end. There were appointments that might have had to do with insurance commissioners and even at the very last, practically the last minute, he still was wringing concessions out of you. Do you recall any of that?

Brown: I have no recollection of that. Hugh became involved in the bill as much as I did. He wanted the Burns-Porter Act. He wanted the title, and the people in his district, fellows like Jack O'Neill that had supported Hugh and were very close to him, they were the ones that really got it more than I did. He didn't extract anything from me. On the Insurance Commission he was very interested in the reappointment of one of Knight's men, Britt McConnell, and I did reappoint him but I did it because the insurance industry wanted the man. It was one of the few places where I let an industry name the commissioner, but I did it.

I was ready to fight on banks, and on water, and on capital punishment, and a lot of other things, but I just thought there was no use making too many enemies right at the beginning of my term. But I have no recollection. I think Burns asked me to reappoint Britt McConnell which I promised to do, but I don't think it was tied into the water project at all.

Burns was the president pro tem of the senate. He was the leader. He was entitled to great consideration on appointments that I'd make and I gave it to him. Hugh was a very conservative senator even though he was a registered Democrat. But he and I always got along very, very well until the end. I mean after the first two years, I can't remember what we fought about. I think we fought about fair housing. He was violently opposed to fair housing. But generally speaking we got along very well.

Chall: Were there any concessions that had to be made between let's say water and the passage of the FEP? Did you have to water down FEP in order to get some votes on the water bill or anything of this kind?

Brown: No, I don't think so. I don't think so, although we were willing to trade. I can't think of any. Unquestionably, I wanted that water bill through and I probably would have promised almost anything to get it. I wanted it done. But you've got to remember that I had won by a million votes. This was my honeymoon, the first year as governor. I hadn't run into Chessman yet. I hadn't run into the things that later weakened me in the eyes of the public and in the eyes of the legislature.

Brown: Southern California needed that water very, very badly, and there were some other areas. I mean Kern County needed the water, so I had Fresno and Jack O'Neill. They wanted that San Luis Reservoir completed.

Then, of course, we had to share that with the Bureau of Reclamation. We had to get their help, so I needed the congressional help of men like Clair Engle and others. So it was a great political victory for me, but I was the commander-in-chief of a pretty good army. There was one other phase to it that happened. [interruption: telephone rings]

One other phase to the project was this, that we were running into trouble with fish and game because of the fish life. They were afraid there would be too much water diverted from the Delta, and it would hurt the fish life. So the engineers came up with the Peripheral Canal. That would have cost a great deal more and we didn't have that in the original project. We didn't have the Peripheral Canal in the original planning of it and I think at that time the Peripheral Canal would have cost \$250-\$270 million. But we added that to protect the fish life. Now, I didn't know when we put that in that it would also add another 850,000 to a million acre-feet of water. But we put that in for fish and game. Now, that project has not been completed yet. We had that down the line maybe eight or nine years.

Chall: But the Peripheral Canal was put in for the reasons of protecting fish and game?

Brown: Fish, not game; to protect the fish because it permitted the regulation of flow into the Delta. The way it is now without the Peripheral Canal, you have to put all that water in there to flush it out, and some places you don't need the water, you don't need it in some of the marshland around there; you don't need it. So you can regulate flow; when the fish need the water for salinity control and things such as that. This permits you to flush it out at the right time whereas now it's just an uncontrolled thing. You waste a tremendous acreage of water in flushing it out rather than regulate the flow of it. You ought to get more detail of how that works from Ralph Brody or one of the other engineers if you talk to them.

Chall: I always thought the Peripheral Canal was to provide cleaner, fresher water along the aqueduct rather than to protect the Delta.

Brown: Both, it was for both. It was put in at the request of the fish and game people because they opposed the project in the first instance and I had to overrule them. So then we came on with the canal, even though it added considerably to the cost of the project, we still wanted to go ahead with it.

Chall: Now, the fish and game people--I think the chair of their committee was Pauline Davis. Did you work closely with her on such things as the Davis-Grunsky Act and protection of fish and game. Was that one of her prime considerations?

Brown: Well, Pauline Davis was a pretty hardnosed politician. She was pretty good. She wanted some dams built up in her area that had nothing to do with the California Water Project, but they were good for her. They were little projects that had been suggested and they should have called those the Davis Lakes. I forget what they called them. But in order to appease the Northern California people, to take care of everybody, I signed the Davis-Grunsky Act which provided for recreational lakes. This was for recreation, for fish, and boating; funds were included in the project. We took money out of the tideland oil funds to build those dams up there. They've turned out to be great things too.

At that time, we didn't plan them. We were thinking, our minds were thinking that the economic use of water, and flood control; recreation was a third priority. As it's turned out, all of them have been very worthwhile and justifiable. The people that use those dams now for recreation is tremendous. I mean Castaic Lake and Perris Lake and some of the others. I don't know how much recreation there is on San Luis. I don't think there's very much. That's a pretty windy, cold slot. [pause] Have you been up to the Feather River at all? Have you seen the Feather River Dam?

Chall: No, but some day I'm going to.

Brown: Oroville Dam?

Chall: No, I've never been there.

Brown: Oh, well, you ought to take a look at it. As a matter of fact, what you should do is to get somebody, get nine or ten people, and have them charter a plane and fly up and see the fish hatcheries up there and then fly down along the route and come down into San Bernardino and to Perris.

Chall: Right, that's one of my ideas for the future.

Brown: It would take you two days to do it. It's really a tremendous thing. It's really something. Later on--I guess they were calling it the California Aqueduct--I wanted them to call it the Edmund G. Brown Aqueduct. Jack Knox put through a bill and said, "It's a cinch to go through." This was during Jerry's first term. [pause] And Jerry called me up and he said, "Dad, I think it's a mistake to call the project after you at this time. When you're dead, then they'll name something after you." I said, "Hell, I won't know anything about it then!" But he too called my attention to the fact that they wanted to

Brown: call the big auditorium in Sacramento the Earl Warren Auditorium and the people voted it down. They wanted it to be called the Sacramento. So I think Jerry's right about it. The people don't like to have you name something after yourself.

Chall: Especially if it's their project.

Brown: Bill Warne wanted to name the Feather River Dam the Edmund G. Brown. Instead of calling it Oroville Lake, they wanted to call it the Edmund G. Brown Lake. One of these days they may change the name of one of the little ditches or something.

Chall: Well, they have O'Neill Forebay.

Brown: They've got the O'Neill Forebay, and they've got the Carley Porter Tunnel, and they've got the Edmonston Pumps. So they've got lots of things but nothing--if you go from one end of that project to the other, you won't see my name any place, not a single solitary place. I think everybody is a little bit embarrassed when I go through it because they know damn right well that it wouldn't have been built if I hadn't been governor and if I hadn't been attorney general. Unless I had had the background of the fights and the feeling for water it never would have been built because the opposition was so great. Today, if you had to get an environmental impact report on that whole dam, it would be in court until the year 2000.

Chall: Yes, some of the present day opposition to the whole water program claim that it's environmentally unsound as well as fiscally unsound, so you probably would have difficulties with it.

Brown: Yes, you would have had. The environmentalists became more powerful as time went on--as California grew. Now, we're growing at the rate of 400,000 people a year. You see the Central Arizona Project will come on stream in about three or four years. They're building that now. They'll take substantially more of the Colorado River water. So we won't be able to get that Colorado River water anymore which supplements the Owens Valley water in southern California. So we're going to need the California project water. This is like the oil shortage. I mean people still buy these great big cars and you know these gas guzzlers waste all this oil, and gas, and things like that. The same thing's true with water.

Chall: There is a claim that much of the water that's being planned for the future wouldn't be needed in quite that amount if people would conserve--not only industry and homeowners but primarily agriculture. There is a concern that agriculture takes all the water that it can get, and pumps out all the water that it can pump, and still asks for more. Some people think there must come a time when we say no to agriculture.

Brown: I wouldn't say we'd say no but we would just make them conserve the use of water. There's many ways they can conserve water and that should be part of the program of development of the California Water Project. They're pumping that water at tremendous depths now. It's cheaper to pump it than it is to buy more water in a great many of the cases. Of course, when it gets down deep you have to use a lot of power and as power costs go up it will be cheaper to buy the water. But we're going to need it all.

But you're going to have to conserve too, and during the great drought we all conserved in the use of water--flushing toilets and taking showers, and it worked. We still ought to do it, although we've had two wet years and it's very difficult to get people to talk about water in a wet year. Get a couple of dry years and then people think about water.

Chall: Back to the water bond issue itself--the method of offsetting tidelands oil money. Do you recall that offset feature? It may be better to ask somebody else like Ralph Brody perhaps about that.

Brown: What do you mean offset? I don't understand.

Chall: Well, the money that came in from the tidelands oil could be used to help pay for the construction of the project. However, then that money plus interest, that amount had to be set aside for building the other features--

Brown: The second phase.

Chall: The second phase. Some twenty-five million or more were expected to go into that fund every year and you agreed to that in essence. Do you know how that feature was put in? Was that something that you and your advisors worked out?

Brown: I can't remember that now.

Chall: How did the legislators take to having Ralph Brody and Mr. Banks sitting in on the floor of the houses and giving their signals about whether or not something was all right.

Brown: The opponents didn't like it at all. George Miller and those, tried to get them off the floor. Although Hugh Burns was the presiding officer and we had a majority with us in the thing.

Chall: Is that a rather unusual practice?

Brown: They won't permit it anymore.

Chall: Had they done that before that you know?

Brown: There had been occasions, but this was a very technical thing, the passage of the California Water Bond Act--the Burns-Porter Act. There were a lot of questions and Ralph would just sit there and answer them and he was really good. When you talk to him, you tell him that I'm still appreciative of what he did. He was really excellent and so was Abbott. Now Bill Warne, he came into it later.

Chall: Yes, it was Mr. Banks that you would have been working with.

Brown: I kept Harvey Banks in. Harvey had been appointed by Knight. Harvey was a conservative engineer, a water engineer, where Brody was a liberal lawyer--or so I thought. He's now been down there with the Westlands project and he's been very severely criticized. But he had gone through the wars with the Bureau of Reclamation on water throughout the entire West. But I wanted to make it nonpartisan. I didn't want to put a Democrat into the Department of Water Resources. So I kept Knight's man in and that was a deliberate judgment on my part. Banks and I were never too sympathetic. We didn't see eye to eye on a great many things.

Chall: But on water?

Brown: Well, on water particularly. I can't remember where we disagreed. There were terrible fights between Ralph Brody and Banks and both of them threatened to quit from time to time, and I just had to jolly both of them along and tell them both, "You're the boss, you're the chief, don't worry."

Chall: Who was the boss? Who was the chief?

Brown: Brody was the one I relied on more. I relied upon Brody; he was a Democrat and my appointee. Harvey Banks was a Republican, a Knight appointee...but he was a good engineer, a very sound fellow, and I respected him very, very much. But the man from whom I had received a great deal of my advice during the campaign was Ralph Brody. He had been with the Bureau of Reclamation. Banks resented the fact that he wasn't named chief signal caller. He was the director and yet the governor did most of his conversing with somebody else.

Chall: That would be difficult, of course.

Brown: Very. But I kept it up until the water bond issue was passed. I don't remember when Harvey Banks resigned.

Chall: I think he announced his resignation in October 1960, but didn't leave office until December, because you wanted to announce in October 1960--that was even before the bond issue was passed--that William Warne would be the new director. Warne doesn't know why you wanted to make the announcement prior to the passage of the bond act.

Brown: I don't either.

Chall: Was there some political meaning, a signal to the Democrats out there?

Brown: I probably had some sinister reason for it, but I can't remember what it was now. Maybe the Democrats were opposing the acreage limitation; I mean opposing the fact that we didn't have the acreage limitation in the bond issue.

Chall: Yes, the Democratic party was opposing that.

Brown: But I can't remember now why I did it. Ralph doesn't know either, eh?

Chall: Well, I haven't talked to him yet.

Brown: Have you talked to Bill Warne?

Chall: Yes.

Brown: He didn't remember why, eh?

Chall: He said he didn't know why.

Brown: I don't know why either, so we're even.

Chall: All right. The bond act, according to Bruce Allen and others, was just a governor's give-away program. I mean there was no data in there about exactly how the money was to be repaid. None of the facts were laid into the bond act, and yet billions of dollars were going to be spent without any assurances of how it was going to be paid back. That was a calculated action on your part I take it?

Brown: Yes, I wanted it to be open-ended so that the governor and the department could move ahead with the water project. Like right now the governor needs very little authority to issue more bonds or do whatever he can, fiscally, to complete the project. The legislature would have to affirmatively take some action to stop him. That is just exactly the way I wanted it. Bruce Allen, of course, he was a very vicious legislator, one of the most vicious guys that I've met. I could hardly talk to him he was so bad. One of the worst I've ever seen in the legislature. He's now a judge. That scared the life out of me, to think of this man being a judge, but they tell me he's turned out to be a pretty good judge.

Chall: He had a plan, of course, for years, about using tidelands oil money and the whole pay-as-you-go process, which, as you have pointed out, would never have worked.

Brown: I didn't pay very much attention to him and that probably annoyed him.

Chall: Now, you did put into the bond act his tidelands oil fund act which had been passed just prior to SB 1106.* In fact, you waited until it was passed before you moved yours.

Brown: Was that his bill? Was that Bruce Allen's bill?

Chall: Yes, it was.

Brown: To use part of the tidelands oil funds?

Chall: Yes.

Brown: Well, I don't remember that but I had no compunction about even using my enemies in order to accomplish the result. You've got to remember that I was absolutely determined that I was going to pass this California Water Project. I wanted this to be a monument to me. So it was good for the state, but I felt that from a political standpoint, I mean from my own political standpoint, you want to accomplish things. Like if you're a lawyer you want to win lawsuits, and I wanted this project.

Chall: Why was this so important to you?

Brown: Well, it was like building the University of California. I mean I knew they needed it and it was a very difficult political issue to get over. There was tremendous opposition to it, so it's the competitive spirit that I had but also a great sense of accomplishment. You know, when you run for public office you have somewhat of a missionary complex. You think you're the only guy or the only person that can do this job and that's the way I felt about the California Water Project.

Chall: Okay, now by leaving out all of the particulars, by leaving them out of the bill, you knew sooner or later (you, Ralph Brody and the rest) that you were going to have to come up with a plan for repayment even though it wasn't in the bill--and for pricing. Almost at once in Western Water News, September, 1959, there's an article by Samuel B. Morris, a consulting engineer in Los Angeles. He suggested a two-part rate structure which, in fact, is the method that was used. So the general question is what was going on behind the scenes to have developed that rate system--this two-part rate system--that is the Delta charge and then the capital cost for transportation and construction?

*The bill by Bruce Allen was known as the California Water Fund Bill, AB 1062.

Brown: Well, it was a very difficult thing to price out. I mean to take the flood control features, the recreational features, which would be paid for by all the taxpayers of the state, the tidelands oil funds, and then the actual cost of water. The farmers couldn't afford to pay the same cost as the person who would maybe pay a water bill of two and a half or three and a half [dollars] a month.

Chall: You all knew that this was going to be a problem?

Brown: Oh, yes, we all knew. It was a matter of compromise, and working it out with Metropolitan Water District and other water contractors in the state. It was a very difficult thing to do. We had a tough time with the Kern County Water District, a very, very difficult time with them on those contractual obligations. Bill Warne was a dedicated man. He was the one that got in there and started working with these people and he was a very stubborn individual. When he made up his mind, nobody was going to influence him. He became very unpopular with a great many of the water users and a great many of the legislators too. But he had a great friend in George Miller. As a matter of fact, George Miller had recommended him to me. He was over in Korea or someplace at the time. I called him over in Korea to come back and be the Fish and Game Director and he agreed to come back. Even though Miller was opposed to me, he was very friendly with Bill Warne.

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Chall: So almost at once, you were having difficulties with respect to repayment. The Irrigation Districts Association, the State Chamber of Commerce with Burnham Enersen, the Farm Bureau Federation, and even the Federated Women's Clubs sent you a letter about the difficulty that agriculture would have in paying for the water. How did you all work this problem out about agriculture? What were your feelings about farmers? We talk about farmers but the indication is that most of these people in Kern County had rather large acreages.

Brown: Oh, yes, the people you're talking about were the big corporations of the state of California.

Chall: How could they not have afforded to pay?

Brown: Well, they could afford to pay for it and they did pay for it. We just told them to go to hell. We knew they needed the water and that they'd eventually come along with us--which I think most of them eventually did.

Chall: An arrangement was made with the Kern County Water Agency that they could have surplus water for eight dollars an acre-foot, just the cost of transportation of the surplus water to sections of the area.

Brown: Well, we just threw that in because--

Chall: That's a subsidy in a sense is it not?

Brown: Well, it is and it isn't. What are you going to do with it? If they didn't buy the surplus water it would flow to the sea. So we had to get rid of it at bargain rates and, of course, if we could induce them to buy it, why, fine and dandy. Now, in the water drought of two years ago Kern County didn't have enough water. I represent an irrigation district down there, the Berrenda Mesa Water District, and they had one hell of a time. They were absolutely dry.

Chall: They were dry in Kern County?

Brown: Oh, yes, they had to allocate the water. In the first year they gave us enough just to keep the vines and the orchards going. The second year they didn't know what they were going to do, and then the rains came along and saved us, and we had a deluge. But if that drought had lasted another year, the agricultural interests would have lost millions of dollars. You can't imagine what a disaster it would have been. And the only thing that saved them in this drought year was the California Water Project. That was the only thing that saved them through those two years of drought. You're going to have other years of drought as sure as we're sitting here in this room and that's why it has to be completed, and they're dillying and dallying and fighting it. The state senators from southern California, Republican state senators, wouldn't give my son the bill last year which they should have done.

Chall: Oh, the canal?

Brown: Right.

Chall: Do you get the feeling that you've been all through this before; the same groups are opposing? Even some of the farm groups were opposing the bill because they didn't want it tied into control over ground water. That's part of it. The Delta interests are part of the opposition.

Brown: Oh, yes, I don't think any of them have retreated. There's one group down there--I forget the name of the man--the father carried on a water fight and I think he must have told his son on his death bed, "You must never go along with the water project." They're very well-to-do farmers. They've got all the water they need themselves, but they're scared to death they'll take it away. So they financed the fight against the water project. They financed the fight against it last year. No matter what kind of a bill will come up they'll fight it. They want to still destroy the California Water Project, and unless the people become aware of the need for water, they can very likely succeed, because they know the value of water, they know the need for it.

Brown: If there's no conservation or no regulation, then the water has to flow as it flowed before we had any dams or anything else, and they won't have to pay for it. The Delta gets all that water for nothing. You see, during the early days before they had the Shasta Dam, if you'd have a dry year, you'd have salt water almost all of the way up to Sacramento. Now you have fresh water throughout the entire year and they just pump that water out of the Delta and they don't pay anything for it at all. Really they should be bound by the acreage limitation because they're beneficiaries of the Shasta Dam, the reclamation project.

Chall: They are bound by it, aren't they?

Brown: They're bound by it in my legal opinion, but it's never been enforced. None of those Delta islands have any acreage limitation in the allocation of the water.

The Campaign to Pass Proposition 1

Chall: Let's talk about the passage of the water bond issue. Mr. Preston Hotchkis, who was your statewide finance chairman, says that it was the toughest campaign he had ever been involved in.

Brown: Did you talk to him?

Chall: No, others in the office have been interviewing him and this was one of his statements during his interview.* I gave you a list of the people who were chairmen of the campaign.

Brown: Yes, let me see if I have it.

Chall: Also, this book that I have here is a publication of the Metropolitan Water District on its fiftieth anniversary and there's some background here on the passage of the water bond which I would like to take up with you also.**

Brown: Have you got the names of the people I put on the committee?

*See interview with Preston Hotchkis, Sr., One Man's Dynamic Role in California Politics and Water Development, and World Affairs, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1980.

**Aqueduct, Fiftieth Anniversary Edition, Metropolitan Water District (46: 1, Fall, Winter, Spring, 1978/79), pp. 58-64.

Chall: Yes, Thomas Mellon was your state chairman and some liberal Democratic groups felt that this was a terrible decision that you had made to put in one of the most conservative persons in the state of California as the chairman of your water bond campaign. Cyril Magnin was the Northern California chairman; Norris Poulson, southern California chairman; Preston Hotchkis, statewide finance chairman; and Edward Day, statewide treasurer. How were these men chosen?

Brown: Well, I wanted people that could raise money. Preston Hotchkis was a Republican. He raised a lot of money, and Cyril Magnin raised the money in the north, and Norrie Poulson was the mayor of Los Angeles. I thought it was a pretty good cross section of the people.

Chall: Did you pick them on your own or did you have someone do this for you?

Brown: Oh, no, I picked them myself. I called them up. See, Hotchkis, they own the big ranches in both Los Angeles County and in Santa Barbara County. They own the ranch up there. Now they're fighting the nuclear power plant up there--I mean the LNG site up there, up there on that ranch. I forget the name of the ranch.

Chall: They're fighting against it?

Brown: They're fighting against it, and they're fighting it on environmental grounds, and they've never supported any environmental cases until it began to affect them.

Chall: The others who assisted in the campaign were the League of Women Voters and other women's groups. How valuable do you think that the League of Women Voters were?

Brown: Oh, invaluable. I consider the League of Women Voters the most objective group in the state of California. I think there is less pressure of special interest in the League of Women Voters--there's none. I don't say they always make the right decisions, but the women I found were the most intelligent group in the state, the League of Women Voters. When they agreed to support us I knew that right was on our side.

Chall: That's interesting. Hotchkis says that it was the tremendous work of the women--not only the league women, but other women--who really won the campaign.

Brown: I think that's true. You see, during the campaign I went up and down the state. I made speeches from Arcata in the north to Imperial County in the south. It was a bi-partisan issue. At the same time, Kennedy was running and I was making speeches for Kennedy. So I'd have one hat on at noon talking to a Santa Barbara club and then at night I'd be talking to a group for Jack Kennedy, and I worked like hell for both of them.

Brown: I thought on the night of election--I can never forget---we were in the Beverly Hilton Hotel. The returns came in and I'd thought we'd lost the water bond issue, we'd lost that one, and that Kennedy had won. So we thought it was a fifty-fifty victory. But later on the returns came from Orange and San Diego and we won. We lost forty-eight, I think, of the fifty-eight counties in the state on the California water bond issue. The Commonwealth Club opposed it; the San Francisco Chronicle carried on a militant campaign with a big giant octopus, the water project, and they took me on violently, and we finally won it.

Then Kennedy lost when the 100,000 absentee ballots came in from the conservative Republicans. They always vote absentee. I was very, very disappointed in losing Kennedy that night. I thought I had won both of them for a little while. As a matter of fact, I was down in Mendoza, Argentina when I heard those reports. They used to count the absent voters later. I was told at that time, by the gleeful Republicans, that Kennedy has lost California to Nixon, which made me very unhappy.

Chall: What if the bond issue had lost?

Considerations in the Selection of the Water Plan

Brown: If the bond issue had lost we never would have had a California Water Project.

Now, we had to make one other decision. I think I've talked about before. Today, of course, the environment--the quality of life--is very important. At that time, I was primarily dealing with the quantity of life. People were coming into California, and there was no pill, there was no abortion. So we had a big birth rate and a big in-migration. So I had to build roads, and highways, and schools, and universities, and water projects, and beaches, and parks, and everything else. Some of my advisors came to me and said, "Now, Governor, don't bring water to the people; let the people go to the water." That's a desert down there. Ecologically it can't sustain the number of people that will come if you bring the water project in there.

I weighed this very, very thoughtfully before I started going all out for the water project. Some of my advisors said to me--and I can't remember who they were now--"Yes, but people are going to come to southern California anyway. If you don't have water, they'll be there anyway but the life will just not be as good for the people if you don't have the water project in, balancing the thing." Somebody said, "Well, send them up to northern California." Well, I was a

Brown: northern Californian. I knew I wouldn't be governor forever. I didn't think I'd ever come down to Southern California and I said to myself, "I don't want all those people to go to northern California."

So environmentally we did consider it. Now, it's arguable whether or not we shouldn't have limited growth by lack of water. Santa Barbara County just defeated a water project up there because they don't want growth, they don't want people going into Santa Barbara County, and if there's no water you're not going to build any homes and people won't go up there. It's a hell of a way to limit growth, but it's probably as good as any.

Chall: There was also a later concern about the way the water plan worked out from some economists at the University of California at Berkeley who thought that it might have been a better idea to put the water on the east side of the San Joaquin Valley, where it already was to some extent, of course, in the Central Valley Project. They claim that the land on the west side was marginal and one was putting a great deal of water onto what was really marginal land, and also land, as you know, that's so alkaline that it creates problems of its own.
[interruption: telephone rings]

Brown: You see, the federal government is supposed to build the east side canal too. They would have taken care of the east side for their water needs and I hope they build that east side canal too. I'm not too familiar with where that water was to come from, but they probably need water because they're overdrafting on the east side of the San Joaquin Valley. But the west side, all in all, it will develop as time goes on. You see, we needed to sell that water to southern California, to build the dam, and we had to have that flood control, and we do have recreation.

The situation was that there were fifteen different plans--I mean fifteen economists, financiers--there were all sorts of plans that came to me as governor, that I studied after I was elected governor, and even during the period that I was attorney general before I made governor. Finally, I said, "There's no one right plan; we've just got to have a plan." It's like energy today. There's no right way to conserve energy, or to price energy, but you just have to do something. If you don't do anything, you don't get anything done. So I arbitrarily selected this one. I thought it was the best. Don't misunderstand me--I didn't toss a coin or anything like that and make a choice. But if we had made other decisions, you would have weighed that against the cost of an east side canal, rights of way through the rich lands of the east side. You already have the Friant-Kern Canal. The pumps! The question of whether we should have two pumps over the Tehachapis. Bechtel and Company recommended one; Daniel Johnson recommended another, and I had to make choices on them, and I'm not an engineer.

Chall: Is that right? You did?

Brown: I did it myself. I got advice from my own engineers, of course, from the people that were building it. But you had three engineers. You had Bechtel, you had Daniel Johnson, we had our own engineers, and then we had the Metropolitan engineers too.

As a matter of fact, in one decision that's rather interesting, the Metropolitan Water District, who wanted two pumps rather than one, stated that we were building it on an earthquake fault which we are. The tunnel is built right through a big fault. They said, if you have two pumps and one goes out, you only have to repair one instead of repairing the whole thing. They said that you will only have 50 percent to do over again. I went home and I talked to my wife. Somebody had argued it was like riding in an airplane. A husband and wife should not ride in the same plane because if one airplane goes down, why one will live. I came home and made that argument to my wife and she said to me, "The way I look at it is if one of you rides in a different plane, one of you has twice as much chance of being killed!" [laughs] So based upon my wife's suggestion, we built only one pump. So those were little decisions that were made that went into this project.

Chall: So whenever there was really a conflict among experts you would have to make the decision.

Brown: Yes, I would have to make the decision and I made it too.

Chall: You must have made plenty of them then.

Brown: I made lots of them, I mean financial, and building of the dam, and they were all--I was like a czar of water in these things. But I don't mean that I did it whimsically or capriciously. It was done based upon the soundest political and engineering and scientific advice that I could get.

Obtaining the Contract with the Metropolitan Water District

Chall: Would you describe some of the tensions that were between you and the Metropolitan Water District in getting that signature? According to the Metropolitan Water District people in their fiftieth anniversary edition here, it took ten months of negotiation until they could reach the point of agreement. In fact, you announced pricing policies in January of 1960 and it wasn't until that summer that they claim they were able to see anything concrete that they could work on. This apparently is so because there's a letter you received from Mr. [James] Cantlen, president of the Los Angeles Chamber of Commerce, and he says

Chall: that they would like very much to come to a decision about the water plan, that one of the principal obstacles to a conclusion to this work has been the unavailability of a specimen contract acceptable to the state of California for providing water. "On January seventh of this year we presented to you a statement of features and principles which we felt should be included in such contracts and shortly thereafter you and the state Department of Water Resources announced principles which should be incorporated in the state's contracts for water. During the intervening months there had been numerous meetings and yet the state has not made public any contracts which would be acceptable to it." So what was going on in your office?

Brown: Well, we were having a tough time getting the right pricing. We didn't know just exactly how to do it and there was internal disagreement, so we couldn't present it to anybody else. Metropolitan, of course, was driving a very hard bargain. It wasn't until the last two or three weeks of the campaign that they finally came up with it. I remember going into see Norman Chandler and Norman Chandler saying he was going to oppose the project in the L.A. Times unless we went along with the Metropolitan's viewpoint. I told Norman, "Then you just oppose the project, Mr. Chandler. The people will look at you with scorn as the years go on." So he walked out and I didn't know whether he was going to support it or not. I was really very angry. I don't think he was angry, but I was very angry at him. But they finally supported the project and so did the Metropolitan Water District.

They had to do it. I knew we had them. I knew that if they didn't get this bond issue over, they'd never get water in southern California. So they did support it but they waited until the very last hoping I would yield, particularly on the east side canal. That was the main thing. And the reason they didn't want the east side canal was that they wanted to control the project, they wanted to sell all the water. But the way we did it, we had cohorts on the other side. Now, the Riverside newspaper--I noticed an editorial in there taking on the Metropolitan Water District for not coming along with us. It was a very delicate political maneuver from time to time and any wrong decision would have meant the loss of the war, if we had not done it right.

Chall: How closely involved were you during the ten months of negotiations? [Robert] Skinner worked with [Charles] Cooper, Don Brooks and Don Whitlock; Harvey Banks, according to Met's publication was the chief negotiator for the state. "If he had authority to handle certain things, he'd tell us, and if he didn't, he'd say he'd say he'd have to take it up with the governor."

Brown: Well, he'd come back and report to me. But I didn't do any individual negotiations because I really didn't know the cost of water. I didn't know what was good or bad. They would explain it to me and they'd come back to me. But they did all the price negotiating. I didn't have anything to do with that at all.

Chall: What about Carley Porter?

Brown: No, Carley didn't know anything about it either. We had to explain to him; we had to dot the i's and cross the t's. Carley became very knowledgeable about it before he got through and was very, very good. But he wasn't a lawyer. He didn't know anything about water law. He didn't know anything about pricing. But he handled it very expertly. I don't want to minimize the work that he did in the legislature.

Chall: But they claim that after the act's passage it was Carley Porter who smoothed out some of the differences between Met and the state before the contract was signed.

Brown: Well, that may have been true. We had to go along with the legislation. We were very grateful to him too for the expert way he handled it in the legislature.

Chall: Were you in contact with any members of the Metropolitan Water District board? Could you have influenced any of them to move away from Jensen's position or did you just have to wait?

Brown: I had some friends on the great big board of directors. But Joe Jensen was a stubborn old man and he had fought these battles. He was ringwise; he's been in it a long, long time.

Chall: According to this same report it was Noah Dietrich at the last who broke away.

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Chall: Mr. [Alan] Bottorf? The Met history claims he was active in the negotiations.

Brown: Oh, yes, he was very active and always very nice, but very persistent too.

Chall: He represented the Feather River Project Association which, of course, was behind the Feather River Project for many, many years. But he also represented Kern County farm interests. Big interests.

Brown: A big interest; he was the front man for the big interests, yes.

Chall: So it's quite possible then that he was there working behind the scenes on this.

Brown: Oh, yes, he was up there working on the thing. But Bill Warne was a tough negotiator and bargainer too. That's why I had him in there. He was a stubborn guy and he had fought with these people for years and years and years. We really shoved it down Metropolitan's throat because they had to have water and we were the bosses. We knew they had to have it. If they didn't get that through--and thank God they

Brown: had the good sense to go through with it because it will be a lifesaver for them in the next twenty years. It has to be completed though too. I'm urging my son, at the present time, to complete and build this project; get it done, put your whole force behind it. Of course, Jerry's lost some of his muscle by running for the presidency.

Chall: We're really moving to the end [of this session].

Brown: I think that's a pretty good session. I think we've done pretty well.

Chall: If you can spare another half-hour or so I'd appreciate it.

Brown: How much more have you got? I'm sleepy!

Policy Decisions on Power and Pricing

Chall: [chuckles] I know you are. I think you've probably handled most of this material on the outline. Let me go back a moment and ask you how you felt, even though Kennedy lost, how you felt about the passage of the bond act. Was that basically more important in the long run to you than winning or losing Kennedy?

Brown: No, I'd say they were both equally important. I wanted Kennedy to win in California. Of course, he won the presidency and losing California was secondary, but it was somewhat of a blow to the prestige of the Democratic governor that he couldn't carry his state for Kennedy. But Nixon was a hometown boy. He'd never been defeated in California up to that time. I was the only one that ever defeated him in any campaign in California. But in view of the fact that Kennedy was elected president, it didn't make any difference whether he carried California or not. The water project, if it had gone down, I really feel it could have affected the lives of human beings in this state and I think it's a monument to me and I'm very proud of it.

Chall: Do you think that it would have been possible to have passed another bond act--to have gone through the same routine again and passed it?

Brown: I never could have gotten the water project through the legislature again, and nobody's been able to get anything further to develop the water project. The opponents of it, they're a minority, but they've become so strong that it's hard to fight them. You want to realize that northern California, they really get their water out of the Sacramento River and they don't need the project. They need flood control. San Francisco gets water from the Hetch Hetchy, Oakland gets it from the Mokelumne River, they don't need it. Fresno and those areas have the reclamation project. So when to build anything further,

Brown: you really have a minority interest to complete it. So it's really very difficult to get people of San Francisco or Berkeley to do anything for Los Angeles. All of those northern California places could get by. But Southern California with its hordes down here and great development--it's going to get worse. You've got some great agricultural areas too in Ventura County and Santa Barbara County. But eventually I think this whole great area down here will become a metropolitan area.

Chall: And the project will be paid for by water bills?

Brown: Right.

Chall: There was a great hope for atomic energy in providing desalinization and also getting the energy to pump the water over the Tehachapis at a very low cost. Was this a disappointment, an unexpected problem when you had to put that off?

Brown: Yes, as a matter of fact, we worked very closely with Admiral [Hyman] Rickover. Did you know that?

Chall: I read it in some report, and Mr. Warne discussed it.

Brown: Yes, Admiral Rickover came out and sold us on the breeder reactor. We were going to use the breeder reactor in the valley to pump the water over the Tehachapis and Bill Warne worked with Admiral Rickover. I met him and Admiral Rickover was enthusiastic. They would have paid a substantial amount of the cost because it was to be experimental.

Well, after we worked it, after the bond issue was all over--I can't remember when it was--Admiral Rickover called me up and said, "I've got to fly out to see you." So he flew out to see me and he said, "I'm sorry but we can't go ahead with the breeder reactor. Our experimental plan indicates that we cannot control that heat in the breeder reactor and therefore we have to abandon the project." Well, that was a big disappointment.

But then after that, we entered into a contract with all of the water people to bring power down from the Columbia River, an intertie that we built. That expires in 1982 and we got a very, very favorable contract; but it expires in 1982 and they're going to double the cost of that. Power at that time is going to go up tremendously.

I would have favored a nuclear plant there in Kern County, to use the waste water, but it was defeated by a two-to-one vote, and now that they've had the Harrisburg, Pennsylvania disaster it looks to me like nuclear's dead. So this is going to increase the cost of the project. I don't think you're going to build any more nuclear plants for a long, long time. They've become very expensive too--forgetting

Brown: about the safety of them. The economic cost of nuclear is almost even and it will go up more in the years ahead to build these projects. So we're going to have to do something else.

We've got a real problem on energy, not only in the water project but in everything else we use. You run into these environmental problems again in trying to get oil or LNG [liquefied natural gas]. Oil is dangerous in the sense that if the ship should sink it would pollute the beaches. They had one up there and it scared us to death, off of San Simeon the other day. Of course, LNG is potentially dangerous too. If that liquefied natural gas escapes and becomes gas again rather than liquid, that can be a potential explosion. Nuclear is gone. You have some thermal and we have developed that. Solar, I don't think there's enough solar and it would cost too much to produce it. Oil is so expensive. We have real problems on energy.

Of course, this will affect the water project. Hydro. We have most of the hydro that we can develop in the state of California. I don't see anybody really selling the people on this. I'm thinking of having a press conference in Sacramento and talking about it a little bit.

Chall: Going back now to the last few years of the legislature, and your terms as governor. When I laid out the activities of the governor and the water project between 1960 and 1965 I noticed that many of the central decisions had to be made by the end of 1963 because that's when the contracts were made final. At that time you had the three law cases being decided with respect to the bonds. Now, in between, Richard Nixon ran for governor. What do you suppose would have happened to the water program if Richard Nixon had won?

Brown: I can't remember that being an issue in the campaign at all. I can't remember anything about it. But I think the project had sufficient impetus and because he was from Southern California he probably would have pursued the same general principles that I followed.

Chall: As you know, the legislature was given a chance to take one last look at the contracts and the program before the contracts would be made final. You allowed them the 1961 legislative session in which to do it. But again you managed to keep out all changes so that the prototype contract with the Metropolitan Water District was safe.

Brown: Well, Miller and the "river rats" fought the project from pillar to post in every place. I just had enough votes to beat them on the thing and after the bond issue went over that was such a feather in my cap that I regained some of the prestige that I lost by reason of the reprieve in the Chessman case. I lost a lot of my muscle in that Chessman thing. It was a bad decision. It was like my son's decision on this constitutional amendment. I mean this has really hurt his prestige, in my opinion, terribly.

Chall: But the Chessman case was a philosophical matter with you. You wouldn't have done anything else; even in retrospect do you think that it was something that you would do again?

Brown: The Chessman case in retrospect, I think I'd have to do it again, although I'm bothered by the ethical question. The man had been convicted, he had a fair trial, he unquestionably was guilty. My caveat was that I didn't believe a person who committed the crimes that he did, that he didn't have exactly a fair trial. It affected my sense of justice. But should you let one man's life affect all of the other things that you're doing, assuming I was a good governor, assuming that I had a compassion for people that needed the help of the governor. Should I let this man die, or save him, and hurt my prestige--which it did--with the blind, and the totally disabled, and everybody else? I could have been defeated by Richard Nixon as a result of the Chessman case.

It made me [seem] a vacillator and a softie on crime and people were so outraged at Chessman that they wanted him killed. It's a tough ethical question and I've never really solved it in my own mind yet. I've talked to Jesuit priests about it and it worries them too.

Chall: What led up to the policy that you enunciated to the legislature in 1961 about the sale of water to those landowners with 160 acres or less and those with more: that the price of water would be based on the actual cost of the power to their land, if they had 160 acres or less, but if they had 160 acres or more they would receive the water for the market price of the power used to pump the water to their lands. Now this was considered a very important pricing policy that you made. It was first enunciated in your speech on January 20, 1960, over the radio.

Brown: Well, you see this was a compromise on the acreage limitation to encourage the small farms.

Chall: You asked the legislature to consider it. How did you work that idea out?

Brown: You see, I had given myself the power to make these decisions. That was the beauty of supporting the reorganization of the water administration. Did you give me a copy of this speech?

Chall: No, but I have one here.

Brown: Let me have one. I'd like to read this. It's interesting.

Chall: Now, these are the only last couple of pages.

Brown: That's all I need.

Chall: Here it is; that's for you. I've got some other things here but I don't know whether you need them.

Brown: I don't remember this now. When was this? Do you remember?

Chall: In 1960. I think I have a little note on top.

Brown: [reads] "Address by Governor Edmund G. Brown, California Water Program, Wednesday, January 20, 1960, 6:30 p.m." This was before the bond issue was passed then. The bond issue wasn't passed until November, 1960.

Chall: So this was the beginning of the enunciation of a policy?

Brown: Yes. You see, I was trying to get the support of the Democrat liberals. They were offended by the fact we didn't have an acreage limitation in the bond act itself. Of course, they fought us. So we threw them a bone in the thing.

Chall: It seems to be a rather small bone.

Brown: Yes, it wasn't very substantial and it had no effect upon big or small farms either. Well, we never expected to get enough money from the sale of energy out of the dam to do much more and we knew we'd run out of it by the time it got down here.

Chall: Do you think it satisfied them?

Brown: No, I don't think it satisfied them. The people that fight for the acreage limitation are really pretty idealistic, tough-minded people and nothing will satisfy them except the breakup of these big farms. They continued it under the Carter administration. Even though they haven't enforced the acreage limitation in Imperial County since 1930--it's almost forty-seven years--Carter comes in and he tries to put it into effect down there. Well, nobody's for that now. Land has been bought and sold based upon no acreage limitation. It would be very unfair to bring it in now.

Chall: As you quoted a little while ago, when you were setting up the policies for the bond act, you were planning to put all of the tidelands oil funds into the water plan.

Brown: Not all of it.

Chall: But a large amount.

Brown: I think we were, yes, but we had to take--

Chall: You had to start making some concessions by about 1963 or '64. Everybody apparently wanted to get in, get something out of those tidelands.

Brown: I think we had to take money, we had to put some in the schools, didn't we?

Chall: Yes, you did, and so it finally developed that instead of what would have been an expected average of something like \$20 million a year, into the water project, it was cut to \$11 million in various ways. Do you recall how the Department of Water Resources reacted to this because this was the way they had of financing the project and developing plans for building on the north coast. It was set into the law. So by cutting back on the money you were in effect changing the way in which this project could be financed.

Brown: I don't remember that. I remember cutting back from twenty million to eleven million, and I remember the discussion as to where they get the money and as I remember it they could still finance it with the contracts that they had.

Chall: You don't remember that they were concerned about this at all?

Brown: No, I don't. No. I remember that we were concerned about--I can't recall the concern.

Chall: In 1965 you vetoed a bill that was set up by Carley Porter which would have allowed \$5 million in nonreimbursable costs from the tidelands oil fund, and guaranteed annually \$5 million when Davis-Grunsky funds exhausted projects. [AB 1147]

Brown: I don't remember why I vetoed it.

Chall: Well, I suppose you didn't want additional tidelands money going into Davis-Grunsky projects or any other projects at that time.

Brown: I probably didn't want to extend Davis-Grunsky any more than it was. You see, we'd allocated X number of dollars to Davis-Grunsky and that's all I wanted, and they were constantly trying to get more. Carley probably tried to accommodate them.

Chall: Yes, because in 1966 [AB 12] a somewhat similar bill went through without the same kind of Davis-Grunsky involvement and you signed the bill.

Brown: Oh, I did?

Chall: Yes.

Brown: Well, I'm not clear on that.

Chall: I didn't ever check back to find out what happened to a request that you made to the legislature in 1964 for a \$398 million bond issue for financing additional capital construction facilities of the State Water Plan. Do you recall asking for that in your budget message of 1964?

Brown: No, I do not, but I know there was never another bond issue passed. I must have asked for it but I didn't get it. Unless it was a revenue bond issue, unless we were going to sell some revenue bonds of some sort. We had to scrape and pull to put this project over. I mean don't kid yourself. [laughs] It was a close fit and \$1.75 billion was about all that we felt that we could get a bond issue. We were afraid to make \$2 billion. It was like \$1.99 rather than \$2.00. We just thought that sounded better to the people.

Chall: Even though you all knew that it was going to cost considerably more?

Brown: Well, we weren't sure. No, we weren't quite sure how much it would cost. We felt that \$1.75 billion, with those revenue bonds, with the sale of power, and the tidelands oil funds, we'd be able to get by. They figured it out. No, we did not deceive the people on that, but we knew it was going to be pretty close. It's awfully hard to project yourself ahead fifteen years to know what the inflationary rate is going to be in these things.

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Chall: I wanted to read to you a statement made by Erwin Cooper in Aqueduct Empire, page 240: "Seen in the light of that polarization, the fact that Governor Brown successfully welded California's warring halves together long enough to synthesize a workable water formula looms all the more as a remarkable feat of statesmanship." Do you like that?

Brown: Yes, I love it.

Personnel Appointments and Conflicts##

Chall: I wanted to ask you some questions about personnel administration relating to the project. Gradually you pulled William Warne in from the Department of Fish and Game, to agriculture, to water. Did he seem the best choice to you at the time?

Brown: He seemed like a very strong administrator to me and he had no hesitation in giving me advice and in disagreeing with me. I didn't want "Yes" men around me. I had read of his record and that Senator Sheridan Downey had attacked him. All of those things played a part in my choice.

Chall: Your relationship with him during the years that you were developing the water project? How were they?

Brown: Great, and up to the present moment we're still very, very close personal friends--all the people were.

Chall: When Hugo Fisher came in as the head of the Resources Agency presumably over Bill Warne and other department heads, and at the same time the water program was being developed, how were relationships developed among you and Warne and Fisher. Warne, as you said, was a tough administrator, and he knew where he was heading. Was it difficult for him to work between you and Fisher and did you require this?

Brown: Hugo had been a state senator. He had been one of my strongest supporters in the state senate. He was defeated in 1962 by some Republican (I can't remember who it was) down there. [Jack Schrader] But he didn't know as much about water as either Bill Warne or Ralph Brody. So even though he was in charge of natural resources, I tried to keep him out of water, and my reliance on water was upon Bill Warne, not on Hugo. But Hugo was kind of a dominating guy and I don't think the relationship was very good between Hugo and Bill Warne. But Bill knew that he had my support.

Chall: What about relationships that might have been difficult because you appointed Abbott Goldberg as the deputy in the Department of Water Resources while he also acted as your counsel on water matters? Was this a potential and actual problem?

Brown: We didn't have any place to put Abbott, you see. There was the chief counsel. We had to go through the attorney general by reason of my original fight to separate them and he was in the attorney general's office. But I wanted him on a full-time basis on water. So the only place I could put him was deputy director of the Department of Water Resources. But he got along well with Warne, although he's another stubborn guy and they differed philosophically in some respects but it all worked out okay.

Chall: So you probably did have some--

Brown: Oh, I had a lot of personnel problems. I had to be like a baseball manager--you know, when to take out a pitcher, and when to put him in, and when to let somebody move in one direction, and move in the other. It was a constant battle, but it never reached a point of fisticuffs or anything.

Chall: Or anybody resigning in the middle of important negotiations?

Brown: No, no. And it was tough keeping Harvey Banks because he got pretty angry with Ralph Brody at times. But I was afraid the damn bond issue would go down the drain if I didn't keep Harvey in there. I mean he was the man that gave respectability to my liberal appointees.

Chall: Yes, and the fact that some people, like Bruce Allen, said that this was just a way for you to look awfully good so that ultimately you could run for president.

Brown: Did he say that?

Chall: Yes.

Brown: Well, I couldn't run for president during the first two years. My son did, but I decided I couldn't do it.

Chall: Now, I have some material that I got out of your papers which you deposited in The Bancroft Library and it indicated that Abbott Goldberg and Attorney General Mosk were in total disagreement on how to proceed with a case. It happened to be Rank versus Krug. I don't know what the outcome of that was, but Mosk had made up his mind that the state would not be a party to the case after the opinion had come out of the Ninth Circuit Court and Abbott Goldberg was very angry and I think he directed a memo to you.

You had been attorney general and you knew that problems were going to come up between the attorney general and department counsels with respect to water. In your testimony before the Weinberger committee you had said that the governor was going to be the person of last resort, but chances were that the attorney general was going to make the final decision anyway. How did you handle problems of this kind between Mosk and the department heads, and counsels, particularly with water?

Brown: Well, of course, the attorney general is an independent constitutional officer and the governor can't fire him or hire him, but you're married. When I first became attorney general Warren was the Republican governor and I was the Democratic attorney general. But I always tried to serve the governor. He was elected by the people. He was the person who was supposed to make the decisions. So I went along with him. Now, Stanley, of course, had an independent, philosophic view that sometimes agreed with mine and sometimes didn't. Stanley's a damn good lawyer. I mean he's a good associate justice of the supreme court, and the fight between him and Goldberg was really a philosophic fight. Abbott had been working on water far longer than Stanley Mosk. Stanley had been elected at the same time as me, but he had been a judge down in the superior court of Los Angeles County. But he was not an expert on water law.

Now Rank versus Krug, I can't remember what happened. Did that go to the Supreme Court? Did Abbott take it to the Supreme Court?

Chall: Yes.

Brown: I think I permitted Abbott to take it to the Supreme Court on his own. I think that's what happened. But I'd be in a very peculiar position if I appointed a lawyer to handle a case before the Supreme Court and the attorney general of the state would oppose the lawyer that the governor appointed, particularly when they're both of the same political party.

I ran into that in another matter. I ran into that in a case involving the El Paso Pipeline where I supported the dismissal of an anti-trust case--it has nothing to do with this. The State Board of Equalization, by a four-to-one vote, went along with me or I went along with them. But Bill [William] Bennett, who's now a member of the State Board of Equalization, Bill Bennett went into court and argued as an individual, as the president of the Board of Equalization and, by golly, he won the case in the Supreme Court all by himself. As a result of that, the El Paso Pipeline had to break their plan to purchase the Pacific Northwest Pipeline. Bennett had always accused me of taking a bribe or some other damn thing in the case which, of course, was nonsense. But we had a real rift which has never been cured.

Chall: So in a case of this kind, Rank versus Krug?

Brown: I can't remember what happened. I can't remember. Abbott Goldberg would know. Are there any letters or anything on that?

Chall: I didn't check any further. There may be. I just took a note on that in order to discuss matters of personnel and problems of jurisdiction.

Brown: Rank versus Krug was on the San Joaquin River. It was a question of how much water should be released. What Abbott wanted to do was to pay the farmers and to take that water because they had another source of water from the Friant Canal. It was not really the big policy issue. Rank versus Krug, however, did involve who controlled the water of the river and Judge Pierson Hall was the judge in that case and he was very anti-federal government and Abbott Goldberg was very pro-Bureau of Reclamation and [Department of] Interior. He felt that he had a much broader philosophic base with the national government than you did with the local water users.

Chall: I'll find out how that came out but if you allowed Abbott Goldberg to take that to the Supreme Court, that meant you had to get Mosk's approval on that.

Brown: I probably did but I can't remember what actually happened. I don't know whether that's in here or not. [goes through papers]

Chall: No, I don't have any court cases to talk to you about.

The San Luis Reservoir Joint-Use Contract

[Date of Interview: 8 May 1979]##

Chall: Here is a sort of chronology of the San Luis Reservoir decision that might help you.

Brown: [pause to look through papers] I can't remember the chronology of these things.

Chall: That's all right. You probably recall then that one of the major sticking points was the fact that the House and the Senate took out section 7 of the bill which would have exempted the 160-acre limit from the San Luis contract and then left it up to the secretary of the interior to work out an agreement with you. Now that created a tremendous problem, of course. I've noticed that there was a great deal of scurrying around during the year in which the secretary was making his decision about the joint-use agreement.

Brown: Let me see if I make it clear. Under the bill that was signed, they exempted the acreage limitation from the service area of the San Luis Reservoir.

Chall: No, they left it in.

Brown: Oh, they left it in?

Chall: Yes.

Brown: So you had to have the acreage limitation?

Chall: That's right. But then the bill said that it was up to the secretary of the interior to sign an agreement with the state and didn't mention the 160 acres. But Congress had left it in the law. Now it was up to the secretary of the interior and the Bureau of Reclamation to work out a contract with the state on the San Luis Reservoir. It would have seemed that Congress wanted the limitation.

Brown: Kept in.

Chall: So there was a year in which you had to work out matters. Let's see, the bill gave you until January 1, 1962, to come to an agreement or San Luis would be built by the federal government alone. This was 1961 and everything hinged on your getting the water plan through.

Can you recall what was going on in your administration in trying to persuade Secretary Udall to sign an agreement that did not include acreage limitation in the state project?

Brown: What was the period, what time was this?

Chall: Well, the bill was signed by President Eisenhower in May, 1960, and you had the whole year of 1961, after Kennedy came in, to work out a satisfactory agreement. It took the entire year right down to the wire. It was signed December 30, 1961. Now, what caused the problem?

Brown: Well, I guess the problem was that we had made a commitment, we'd made a decision that the acreage limitation would not be within the California Water Project. We were going to charge the users of the water a fair market value for their water rather than to limit it by acreage limitation. The reason we did that was because I was afraid if we got into a social theory like acreage limitation that the big landowners would put money in to fight the California water project. So I had to balance the equities of the situation: a water project or no water project with the acreage limitation in it. I personally did not believe in the acreage limitation as the best way to limit the size of a farm that got water. I felt that they should pay for the water and it was suggested to me by others that rather than a 160-acre limitation, or a 320 for husband and wife under the community property laws of the state of California, that it would be better to have a corporation with limited number of shares.

I felt that there were better alternatives than the acreage limitation that was passed in 1902 when they wanted people to come in and homestead their land and build it. I just felt that this was not the best way to do it. I read everything that I could on it and it became a real battleground between the liberals and the moderates and conservatives. The conservatives were against any acreage limitation. They were all for subsidy to the big farmers. Well, I was against that. I didn't want to let them have that water for three and one-half dollars an acre-foot on 90,000-100,000 acres of land. That was ridiculous.

Chall: They would have had to cut up their land holdings though.

Brown: They would have had to cut up their land holdings under acreage limitation. They would have broken down the farms into 320 acres. But, of course, I didn't think that land was worth \$1,000 an acre with water on it. That's a farm worth \$320,000 back in 1960. It was not a small farm! [laughs] I mean \$320,000 was a pretty rich farmer at that. So I didn't want to even subsidize him. So those were the factors and we finally negotiated, and I guess [Stewart] Udall finally gave in.

Chall: Yes, he did. Do you recall what made him give in?

Brown: Well, he and I were very, very friendly and we were very, very close and I don't know what compromises we made. Brody and Warne would remember that, but I wouldn't. I just know that we stuck tight on the

Brown: deal and Warne and Brody were both tough negotiators. I can't remember why, but I know I talked to the secretary about it. He and I worked very closely on a great many things.

Chall: It took so long for the decision to be made. Apparently it wasn't all that simple because there was concern that, after all, this was partly a federal project and if any federal funds go into it to help build it up then some obviously thought that the acreage limitation should apply. I was wondering whether the fact that you were a Democratic governor and you were coming up for reelection in 1962 had any effect on whether or not they were eager to figure out a way to--

Brown: Help me.

Chall: Help you.

Brown: Well, I think that probably played a part in it because I was Kennedy's campaign chairman in California, voted for him for president of the United States. Stu Udall was a very close friend of mine. He was a congressman from Arizona and we worked very closely together on water projects and I think that that played a part in it. We had already committed ourselves on our bond issue that there would be no acreage limitation and so I had to, after we made that decision, I had to keep with it or break my word.

Chall: What would have happened if the agreement had gone the other way, I mean if the decision of the secretary had gone the other way, that acreage limitation would apply.

Brown: I have no idea. I can't tell you; I don't remember.

Chall: Now, I did see some material in your papers--I was going through the Governor Brown papers the past couple of weeks--that some time in 1963, you were trying to change the name of the San Luis Reservoir, but I don't know what you were trying to change the name to. Was it Edmund Brown? There was some material in your files, just letters, saying, "We think it should stay San Luis; that's an historical name in this area." But I have no idea what it was that you were attempting. Do you recall?

Brown: No, I think they may have wanted to call it after Los Banos. What's the name of the town that's right there. Maybe it is Los Banos, I can't remember.

Chall: Los Banos is right there. That's where the reservoir is.

Brown: That's where it is, in Los Banos. I can't remember that. I'm sorry.

Chall: I see, but it wasn't after yourself?

Brown: No, I didn't want to name anything after myself. As a matter fact, later on Bill Warne wanted to name the Oroville Dam. He wanted to name it after me and call it the Edmund G. Brown Dam. As a matter of fact, he prepared the plaque and everything else. This was after I was defeated for governor and I wouldn't let him do it. I thought Reagan would change it back and then I would look bad, and it was self-perpetuating anyway. Then later on last year--this is additional information--Assembly Jack [John] Knox had a resolution all prepared and had the votes to call the aqueduct the Edmund G. Brown Aqueduct, from San Luis to the Tehachapis, and Jerry called me up and asked me not to do it. He pointed out to me that in Sacramento they wanted to call the auditorium after Earl Warren and the people voted it down, and that there was some resentment at all the things called after John Kennedy too, and some of them, like Cape Canaveral, went back to the original names, later on.

Chall: I wasn't able to figure that out and I thought somebody else someday might not be able to figure it out either. That's perhaps about all we can get on that subject--on the San Luis Reservoir.

Brown: You know, this water project interests me very, very much, some of these things that occurred. I may want to talk to you one of these days after I retire, which may be sooner than I think, about getting these materials and working on it. This is where I can spend a good part of my life in The Bancroft Library, writing and dictating and going over those things.

Chall: Oh, yes, your files are great once you start working through them and take the time to do so.

Brown: But you've got to take time; you've got to be patient with them, no question about it.

Chall: Well, it's all there. Here's some material on the Pacific Southwest Water Plan.

The Tug-of-War Between Arizona and California on The Colorado River

Brown: We were insisting upon 4.4 million acre-feet of water even though we lost the case in the Supreme Court. Arizona couldn't get the money to build the Central Arizona Project without our help and we had more votes in the Congress of the United States, and we worked hard, so we just filibustered it. We just wouldn't let central Arizona go through by the influence that we had. I went back and I talked with Senator [Carl] Hayden, who was a very elderly gentleman at the time, but a very pleasant old man. I met with him and we tried to work out a compromise, and apparently we did work out a compromise that we'd import more water into the Colorado. I don't know where that water

Brown: would come from. I haven't the slightest idea as I read this letter, but apparently they were to bring more water down, probably from the Snake or one of the other rivers into the Colorado, and then that would leave enough water for both the Metropolitan Water District and the Central Arizona Project. So the Central Arizona Project eventually went through. It's now being built. It will come on stream in 1982, I think, and when it comes on stream California will lose a substantial portion of water out of the Colorado.

We're going to have to have other water and they're dawdling up there in Sacramento today and no one's able to reach an agreement. Southern California is going to be in one hell of a spot in the next three years unless something's done. They're going to be in a tough spot anyway in my opinion.

Chall: Well, now, in addition to Arizona's wanting the Central Arizona Project and Senator Hayden being chairman of the Appropriations Committee which is a rather powerful spot to be in, California was also interested in getting the Auburn Dam and Folsom South Canal built and Senator Hayden for years had been sitting on that, so California had something to gain as well. There seemed to be tremendous controversy within your administration over the stance that would be taken--whether you were going to insist that California get an assurance of 4.4 million acre-feet of water annually, or whether they would have it for maybe 25 years or so and then it wouldn't serve them any longer. You apparently were at odds again with the Metropolitan Water District. They claimed, in their summer, 1964 News Report, that the latter "compromise proposal developed by representatives of Governor Edmund G. Brown and Senator Carl Hayden of Arizona, has been termed 'markedly inferior' to the Pacific Southwest Project Act by the MWD Board." They claim that your proposal would recognize the principle of protecting California's Colorado River water rights only for twenty-five years.

Brown: Oh, yes, I was fighting with them all the time. They took a very hard nosed attitude about everything. I mean they wanted to control the water in southern California. As a matter of fact, they wanted to control the water in California. Our old friend, Joseph Jensen, he fought these battles and he was really a stubborn guy. On the California Water Project he wouldn't agree to it, wouldn't support the bill in the first place, because he didn't want the east aqueduct, number one. Number two, he wanted two pumps rather than one pump to pump the water up the Tehachapis. We were fighting with them all the time.

I think there was substantial agreement in Sacramento with Bill Warne and Hugo Fisher and the other people in our water department. We'd sit down and discuss it. We wanted Arizona to move ahead. As a matter of fact, we didn't see any reason why all these people should come to southern California, from an environmental standpoint. We

Brown: wanted some of them to go stay in Arizona. I really think we were water statesmen where the Metropolitan Water District people were really water hogs. Of course, they had fought this thing out a long time in the Owens Valley, so they had a tradition of having difficulty in the development of southern California. But they really had no broad vision and it used to annoy me and I used to laugh at it.

But I wanted Central Arizona to go ahead because I felt California had other water; we had other sources of water. It now develops that they're making wild rivers out of some of these other sources of water, so California can't develop its full potential. Even now I disagree with the environmentalists and the Sierra Club. I think that some of the Eel river should be built and developed, and they will eventually. Like this gasoline situation down here now where everybody's against everything but nobody's for anything.

Chall: According to a memorandum in your files there was internal disagreement within your administration. According to Abbott Goldberg's memo to you, in the group who wanted the status quo, that is, insuring the 4.4 million acre-feet of water before any bill goes through, were Kuchel, Mosk, Ely, and also Congressmen Sisk, McFall, and Johnson, and the Arizona state people. On that side also were Dowd, Corker, Grindler.

Brown: Yes, they were all together.

Chall: Then on your side, I gather, were Warne, Goldberg, Fisher, in helping you to take this modified stand.

Brown: The other people, Grindler, convinced Mosk that they were right in this thing. Mosk was a southern Californian too and they wanted to protect California's water interests, and I suppose Stanley, as the lawyer for California, had to fight for it, where I was the governor in more of a position to make policy, in a policy position. Bill Warne and Hugo Fisher and I were all liberals. The others had been fighting Arizona for so long that they just had to continue to fight. It was like the Hatfields and the McCoys in Kentucky. They just didn't know how to quit. We wanted a compromise. I wanted Arizona to develop. I'd been long--as attorney general I had been completely disillusioned with Mike Ely and Mike Dowd and the Imperial Valley people who were completely incapable of any compromise of any kind, nature or description. They just wouldn't compromise and, of course, the farmers were the same way. I being a city boy--I really feel we took the statesmanlike attitude in this thing.

Chall: Can you recall any of the meetings that you would be holding in trying to work things out?

Brown: Oh, we had all sorts of meetings. I tried to get Stanley Mosk to go along with us. He wouldn't do it. Of course, Sisk, and Johnson, and Kuchel were very powerful members and it got into--it was rather a bit of controversy at that time. I can't remember who finally won it, but I remember this was one of the few times that Stanley Mosk and I had been in disagreement. I'd like to review that history and find out about it. But we felt that Mosk was influenced by one of the people whose name was mentioned there.

Chall: Dowd?

Brown: No. Let me see that.

Chall: Well, let's see, the names are also on this piece of paper.

Brown: Corker, Charlie Corker. Charlie Corker was a brilliant lawyer and Charlie Corker had influenced Stanley. He and Abbott Goldberg had fought. Abbott was a real interstate water lawyer. He was the one that got me to change in Ivanhoe Irrigation versus All Persons. He was the one that wanted, in Rank versus Krug, to permit some of the water to go down the stream. Abbott influenced me, had great influence on me in the long run, because I thought he was more generous in his attitude toward other states. These people were Californians first and Americans second, whereas we tried to be citizens of the United States and still assure the California people of their rights.

Chall: While you were then taking different stances it would have been quite difficult to get any bill through the Congress.

Brown: It was very difficult to do it. I can remember the quarrel, but I can't remember the eventual solution to it.

Chall: What happened, do you recall, when Mr. Lynch came in as attorney general? Did that make any difference in his relationships with Abbott Goldberg?

Brown: I don't think it did. I think he followed his deputies in the office. Tom had not had the contact with water that I had. He hadn't fought the battle. He'd been district attorney of San Francisco and he couldn't possibly have had time to get into it. Even though I appointed him he then became an advocate of the attorney general's position, the legal position, that they'd taken. I'm sure he didn't change it.

Chall: So your main activity then was in trying to persuade Senator Hayden and Stewart Udall to the California position that you had?

Brown: Well, remember my theory always was that the law of water is the law of water shortage and there was plenty of water in the West. I didn't care about how much money it cost. I felt the money would be spent.

Brown: People would have it and I wanted to invest in a complete development of the water of the West for all the states of the West. I wasn't too concerned with expenditures of money. I was a reckless, profligate spender of funds and still am!

Chall: Well, that's what seems to have made it come apart so that everybody could accept it--Senator Hayden and the Californians--was what Hugo Fisher indicates in his letter, that water was going to be found somewhere else and therefore it was no problem. However, as I understand it, the water was never found anywhere else because even though you set up the Western States Water Council, nothing came of the idea of importing water from the Pacific Northwest.

Brown: Well, there has been no more water development since 1960 between you and me. They started the Auburn Dam and they started a couple of these other dams but they've all been fought by environmentalists and litigation and everything else.

Chall: But the Oregonians and the Washingtonians did not agree to allowing the Snake River--

Brown: They wouldn't let any water come out of the Columbia either.

Chall: That's where it was supposed to come from. So now what happens? There isn't any water coming from the Pacific Northwest as had been planned or hoped for, and yet these projects in Arizona have begun and they're going to go through. So was it a hoped for pie-in-the-sky do you suppose?

Brown: No, they're eventually going to have to do it. There may be some eight years of water conservation before they get through. We're growing now. Arizona's growing, California's growing, and the whole West is growing. They'll eventually have to build some very expensive projects. They'll be more expensive now than they were then.

Chall: Coming from where?

Brown: Well, they'll eventually get it out of the Columbia. Columbia doesn't need all that water that flows down there. It's ridiculous between you and me.

Chall: [laughs] It never ends, the same questions. At any rate, Mr. Hayden did allow the Auburn Dam bill to go through and eventually, I guess, the other project went through too--for the Folsom South Canal.

Brown: But they haven't built the dam yet. They're having trouble on design and things like that now. But they'll eventually build it. They'll come up with another one, but they're afraid of earthquakes. There's always opposition to those things.

Relationships with Congress

Chall: I'd like to know a little bit about some of the other people with whom you had to work on this whole controversy. Can you tell me something about "Bizz" [Harold] Johnson and his role?

Brown: Bizz was the state senator, elected to Congress, a very close friend of mine. We worked very closely with him. He was with me, I think, in most of the things I did. We're still very close friends. He's a conservative Democrat, not a liberal Democrat. He comes from a conservative area that votes Republican usually, so he was lucky to be reelected and reelected.

Chall: Did you work with him closely on some of these water matters?

Brown: Oh, yes, I worked very closely with him. Yes, I did.

Chall: Irvine Sprague, how did he serve during this period?

Brown: Irvine Sprague was my Washington representative. I set up a Washington office. California never had that before and it was his job to work with the congressmen, the senators, and the administration. He had been the administrative assistant to Congressman [John] McFall and he was very much of a diplomat and politician. He knew the mind of the congressman because he had worked, as the administrative assistant, to McFall. He got along very, very well with them. He was very helpful to me, gave me lots of advice which I followed very closely. He was a great administrator and got along well with the senators and the California congressmen; I don't think relations were ever better then between the California congressmen; that lasted down to the present moment. Jerry has a fellow named Joe Beeman in there today who's nowhere near as effective as Sprague was. Joe was Phil Burton's representative and far more liberal than Irv Sprague or John McFall.

Chall: Did Sprague help write some of the bills that had to do with the water issues in Washington that we were just talking about?

Brown: No, he didn't write any of the bills. But he would act as a liaison between all of us in the thing. We'd tell him what we wanted and he would try to affect it. If he couldn't affect it he might suggest a compromise. He was not essentially a water man, didn't know anything about water, but he did know legislation, and he did know congressmen, and was very, very excellent. He later went with President Johnson as one of his administrative assistants and is now the head of the Federal Deposit Insurance Corporation, chairman of it, and a very, very able guy.

Chall: How closely did you work with Congressman [Wayne] Aspinall?

Brown: Well, we worked with him on water legislation. He was from Colorado and he was always suspicious of California. But I got along with him. I don't think he ever gave me any votes or anything. I can't remember. He was a Democrat too. I try to get along with everybody. I was friendly with all these congressmen and went out of my way to help them where I could in various things, and I worked with the governors of all the western states too.

Chall: Was it important for you as governor to work with the people in the Congress who had these key spots?

Brown: Oh, a hundred percent! I mean we had to get money from them, we had to get legislation on various things, and it was one of the most important parts of my administration to work with them. Now, Aspinall was the head of the Interior and Insular Affairs Committee after Clair Engle went to the Senate, and he was a key man in all this legislation. The chairmen of those committees were all powerful at that time. If they said no, you couldn't get anything through. So I had to work with them very, very closely. Of course, he and Clair Engle were very close friends too. But each one represented their own states. There was an element of real selfishness and parochialism on the part of these people.

Chall: So that just managing to get a regional water plan through was--

Brown: Was very difficult. Each one was suspicious of the other and, of course, there was great question of fact to as to how much actual water there was in these things.

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Chall: What about James Carr who was undersecretary in the Department of Interior?

Brown: Oh, yes, we were very close. He was Clair Engle's administrative assistant when he was a congressman. He came from Redding, California, and Jim and I were very close personal friends. As a matter of fact, I was instrumental in getting him appointed undersecretary of Interior by President Kennedy. He was one of the California appointees, and I recommended and fought for him. So he was always very, very close to me.

Chall: That would have been a key position.

Brown: Oh, it was a key position for us. We needed somebody in the Department of Interior. The relationship was very, very close between Udall, Carr, and myself, and my water people. Abbott Goldberg was always a little bit on the outside because he was the most liberal of any of them and the least states righter of the whole group.

Chall: Yes, I occasionally saw some little speeches from some of the southern Californians who opposed his ideas.

Brown: Oh, yes, the Southern Californians, and the Metropolitan Water District, and the Imperial Water District, they didn't like him at all. The Irrigation Districts Association, which was financed by the big farmers--a phony organization. It really wasn't water development or small farmers; it was a protection of the big farms in California, obviously.

Pushing for the Peripheral Canal, 1965-1966

Chall: There's a letter, which I saw in your files, dated April 6, 1965, to Stewart Udall, regarding a meeting that you wanted him to have with Warne, and Fisher, and Mr. Shannon of fish and game to discuss the Peripheral Canal. This was in April, 1965. In September, 1966, which was a good year later, there were, in your files, hundreds of letters--which you kept copies of--which you had written to individuals and water agencies asking that they participate in the campaign to get the federal government to build a Peripheral Canal.

Brown: Oh, yes, I worked very hard to get that Peripheral Canal.

Chall: What is your recollection really of what was holding up the Peripheral Canal at that stage?

Brown: Well, the only thing that was holding it up really was, number one, financing--I mean money. They were beginning to cut back on water projects in the West. Number two, the Delta people were fighting it with all of their power. They felt that if they built the Peripheral Canal instead of the water going through the Delta where there would always be lots of water, they'd take that water out and they'd have to be dependent upon a water master to get their water. [pause]

You see how I was working on water all the time. Here it is now twelve years later, after I've gotten out, with no one that knew anything about water, so there has been nothing done except delay and stalling and everything else. It's like this gasoline shortage today. They're going to have the same thing in water later on. Although there should be far more conservation in water. There's a reckless waste of water by pumping and things like that at the present time.

Chall: Now that spate of letters came out during your 1966 reelection campaign. Was this also a way of showing the water people that you were concerned?

Brown: A little politics, I'm sure that that was involved. I don't remember it, but I'm sure that that was part of it. You'd make more votes like that than you do out campaigning and telling about your record. It didn't do me any good though. [interruption: telephone rings]

Some Final Questions: The Democratic Party, the Metropolitan Water District, the Tidelands Oil Funds

Chall: When I left you a few weeks ago I still had a few questions. I thought I'd just go over them a moment and see what you can recall. With respect to the Democratic State Central Committee and the CDC, over the years when you were the governor and particularly when you were working on the water plan, how did you handle those two organizations who were committed to a rather liberal policy on water, with respect, particularly, to 160-acre limit?

Brown: Well, I tried to get them to go along with me. The CDC, of course, wanted the acreage limitation, so I was never able to get them to agree with me. Of course, environmentalists were beginning to move into the liberal ranks at that time and beginning to feel their power. But I made my own judgments, particularly during the second term--I didn't intend to run for a third term--and I would try to do the thing that I thought was best from what I considered my expertise, with a greater knowledge of the facts than the other people. So I tried to get them to go along, but if they didn't I moved along anyway.

Chall: You had told me the last time that you did have some contacts with the Metropolitan Water District during the time when you were working on the bond election and attempting to get them to sign. I wonder whom they might have been.

Brown: Oh, Joe Jenson. I met with all of them. I would meet with the whole gang of the Metropolitan Water District all of the time. I had a big fight with them because they wanted to control the California Water Project and we felt it was a statewide project and it would defeat it if Los Angeles controlled it. But they were adamant about it. They finally gave in because they had no other alternative. I think I told you that before.

Chall: Yes. I was wondering whether you had special contacts with one or another of the directors whom you could attempt to pull away from the center.

Brown: Gee, I don't think so. There was another fellow, I worked with. You don't ignore Los Angeles Water and Power in this thing either. They were a very, very important factor because they knew they were limited in their water. They were very, very helpful, and I worked with their attorney.

Chall: Kennedy?

Brown: No, [Harold W.] Kennedy was the county counsel. I thought he was a very stupid man. I ignored him. He didn't know anything about water. He'd make these ridiculous speeches. I mean he was a nice guy, but I just had no use for him. No, there was an attorney for the Los Angeles Water and Power who influenced me greatly. I can't think of his name now. He died. But he was truly a great lawyer. As a matter of fact, I offered him a judgeship and he turned me down because he wanted to work on water. He had been all through these things, and he'd come up and see me. He played a great major part in my decisions. We ought to get his name. You won't have any trouble finding it. I just can't think of it now. He died nine or ten years ago. He was chief counsel to the Los Angeles Water and Power. He was assistant city attorney working under Roger Arnebergh. But the way they do it, they have their own legal department, in Los Angeles, for water and power, like they have in the airport and the port commission. They all have their own attorneys that are there. He was the assistant city attorney in charge of water. He got more money, as a matter of fact, than the city attorney.

Chall: All right, I'll get that. So he was important. [Gilmore Tillman]

Brown: He was very important in the development of the whole California Water Project. He ought to have his name engraved. I can't think of his name.

Chall: Well, we'll find it. I believe they did come over to your side.

Brown: Oh, yes, they all came over and helped at the end. I told you about going in to see Norman Chandler who urged me to go along with the Metropolitan Water District and I wouldn't do it. But the Times finally came along and endorsed the project too. They were influenced by the Metropolitan Water District greatly.

Chall: Chandler was supposed to own a rather large bit of land.

Brown: Oh, yes, he had that Tejon ranch and the project benefited them tremendously. This water project was a godsend to the big landowners of the state of California. It really increased the value of their property tremendously and people should realize that. But also the ordinary citizen was helped by it too. I was willing to go for enrichment of these rich people here because it was the lesser of evils. I wish there was some way we could have an unjust enrichment tax like we are with the oil companies now.

Chall: Do you recall who signed the contract with you from the Metropolitan Water District? Was it Jenson or Skinner?

Brown: I think we both did. [interruption: telephone rings] No, it was Skinner.

Chall: In one letter that I have here, you have said, "When I was governor we earmarked the tidelands funds for education. The Reagan administration, under pressure from the water interests of southern California, repealed this statute and gave the funds to the water project. This was absolutely wrong and resulted in diminished education for the people of this state. It is a long story and I don't think you have it all."* Now about earmarking of the tidelands funds for education-- Initially a portion of the tidelands funds had been earmarked for the California Water Project, then later you cut back some of the funds and used them for education.

Brown: Not all of it.

Chall: It was assumed that about \$20 million a year would go toward the water project.

Brown: Yes, I think that was it.

Chall: However, it got down to the point where I think you had set it for \$11 or \$12 million a year, in order to give funds to schools.

Brown: We had to compromise. We had to use some of it for the lakes..

Chall: Oh, well, no. This was even after. Yes, I know what you mean. I was just wondering how you feel now looking back on it, putting the blame on Reagan for using tidelands money for water.

Brown: Well, it was another subsidy to the big farmers. It gave them more money. But we had to keep that bond issue to as little as we possibly could and we were afraid of a \$2 billion bond issue, whereas we felt we could put a \$1 billion 750 million project over. So therefore we had to get other money. Of course, I won the lawsuit, when I was attorney general, for the state of California. That money all went to the city of Long Beach. I also lobbied for the return of the tidelands to the state of California. I used to argue, take one natural resource, oil, and put it into water. Could I keep this letter? You don't need this, do you?

Chall: No, I don't. You can have one. I have another. And here are copies of letters from the Hotchkis papers regarding bills AB 15 and SB 11, which would have used tidelands oil funds to complete the California

*Edmund G. (Pat) Brown. Letter to the editor, San Francisco Bay Guardian, September 30, 1969.

Chall: Water Project to Ventura County. These were being considered in January, 1968. Your letter may have been referring to this legislation.

Brown: Okay, thank you.

Chall: Thank you for your time. I think we are finished with our interviews on the California Water Project.

Transcriber: Michelle Stafford
Final Typist: Keiko Sugimoto

XIII 1960: KENNEDY PRESIDENTIAL CAMPAIGN; STATE WATER BONDS##

Soundings for Brown for President; Repercussions from the Chessman Case

Fry: Now we really will go into the 1960 campaign. Here you are as governor and you've been governor maybe fifteen months and there's a letter from Lionel Steinberg to a lot of the Democratic leaders on May 7, 1959 sounding out people for Pat Brown as a serious candidate for president. Now, in your John F. Kennedy project interview you say that you really did take soundings, probably independently of this Steinberg thing. I don't know. Did you take some soundings yourself to see if there was any hope for you to run as a serious candidate?

Brown: Leonard Dean and John Purchio, who were two of my closest friends, made a trip around the West to find out whether or not there was any support for me for president. I had made a commitment to serve four years as governor, though, and I accused Knowland of using the governorship as a springboard for the presidency, so I really meant it. But they urged me to do it, so I decided that we'd let them find out about it. I wasn't very encouraged because I didn't really see how after five months in the governor's office I could make a nationwide campaign for the presidency.

But I did go back to Oklahoma City at a big convention where they had all the candidates and I made a speech and I made the best speech of anybody at that convention. That really ballooned by opportunity. People said, "This new governor of California, he's really got it." It was a great speech. I don't know who wrote it. I may have written it myself; I may have spoken extemporaneously, but I had that group--there must have been five thousand people at this rally in an armory--I really had them going.

But they invited me, as a result of that speech, to go back to New York and at the Waldorf-Astoria Hotel they had a meeting. We each had five minutes, all the candidates, and I fell on my face.

Brown: I was just zero. I was scared to death. I couldn't get my speech down to five minutes, and I floundered all over the lot. That really killed me.

Fry: What was that at the Waldorf-Astoria?

Brown: I don't know what kind of a meeting it was. I can't remember. It may not have been at the Waldorf-Astoria, but it was in some New York hotel. I'll never forget sitting there with Jackie Kennedy and her sister Radziwill or whatever her name is. We sat at the same table. I don't know whether Kennedy was there. Humphrey was there and Humphrey really was good that day in the five-minute speech. He talked about fifteen. Kennedy spoke. Lyndon Johnson, Stuart Symington. They were all down at Oklahoma when I made the speech, and that was the one that really was a good speech.

But I never made a serious effort to go for the presidency. The governorship was interesting. You see, there was no real outstanding candidate for the presidency. Humphrey had only been United States Senator for a relatively small time. Kennedy was just a youngster. He was only forty or forty-one years of age. Symington was bland; nice-looking, handsome, debonair man. Johnson had a reputation of being from Texas and racist. Hubert Humphrey was well-liked but regarded as a radical. So the governorship of California, it was certainly--I can show you the pictures in the magazines of all the candidates for the presidency and I was one of the people they talked about.

Fry: Where did you have trouble getting money? In your LBJ interview you say that you'd made soundings but you couldn't get any money support.*

Brown: I couldn't get any money from any source. I really didn't want it.

Fry: Where did you try?

Brown: I can't remember to whom I spoke but I think the people in California were not enthusiastic for me, the people that were my strongest backers. I had some loyalists for me that would have been for me for king of the world as far as that's concerned because you get friends like that. But then jumping over this, when I gave Chessman that

*Lyndon B. Johnson, Oral History Project, February 20, 1969. Copy in Supporting Documents.

Brown: reprieve, that sixty-day reprieve, that really murdered me because I lost the law enforcement people when I gave it to him; then later on when he died I lost the people who didn't believe in capital punishment, the lovers of Chessman, the haters of Chessman. I turned them down once flatly. I made up my mind; I won't do it. Then that night, late at night, I changed my mind again.

So I got a reputation for being a vacillator which I never really lost although as a matter of fact, if people looked at my water program and my Fair Employment Act and my Purity of Elections Act or any of the tough political issues, they'll find out I never wavered one iota in these things. I really worked on it. But after that I was booed wherever I went. I was booed at the Winter Olympics in 1960 at the finals of the Russian-United States hockey game. I was booed at the baseball game. I was booed at a football game. I never--

Fry: Over Chessman?

Brown: Over Chessman. I thought, as a matter of fact, that I was dead politically after all of these things happened. That's the time Fred Dutton came in and said to me, "You have no right to let your personal judgment on a wretch like Chessman affect your ability to do things for people that elected you and particularly for those that you're the trustee--the blind, the totally disabled, who depend upon a liberal governor to get things done and here for the sake of a man that raped two women and was found guilty beyond peradventure of a doubt, a former ex-con: to save his life you sacrificed all of those things." He was really rough.

Fry: Before you made the decision for the reprieve?

Brown: No, after I did it, because I didn't ask anybody about it. I just did it on my own. After I made the decision, not before; because I had turned him down. So it really had a lasting effect and more than that, the fact that they booed me would make me kind of shrink. I hated to go to a meeting. At the Democratic convention in 1960, I can remember going in where I would have been one of the popular figures, the Democratic governor of the host state. I was really submerged.

Fry: Do you mean you weren't your bounding self?

Brown: I wasn't my bounding, confident self. I was really a very--it was one of the worst periods of my life. As a matter of fact, in 1960 I talked to my wife about resigning as governor, that's how bad it was. I really intended to. I really told her and she laughed at me and said--Bern?

B. Brown: What?

California Delegate Selections

Brown: Do you remember in 1960 after the Chessman case at the convention where I talked about resigning as governor?

B. Brown: Do you mean at the national convention?

Brown: Yes, here in Los Angeles. Don't you remember I was so low when they booed me at the convention? Don't you remember?

B. Brown: Not only that, but you couldn't control the delegation either, and that upset you.

Brown: I couldn't control the delegation.

B. Brown: But it was the kind of a delegation that you couldn't control, the way it was selected.

Brown: Yes, the commitment that I made to all the candidates to keep them out of California so they wouldn't come in and have a donnybrook fight in the campaign, which I thought would hurt us in November: I told the Symingtons [supporters] and the Johnsons and the Humphreys and the Kennedys that I would, in proportion to the polls [election results], I would give them representation on the delegation. Now, Kennedy was leading in the polls, so he got the most and I think Humphrey was second. Johnson wasn't hardly in it. Adlai Stevenson didn't run at all, so we didn't give him any delegates, but we had a lot of people that were uncommitted. We guaranteed them all that they'd get some delegates at the convention. So I really couldn't control it under any circumstances. If I asked you to go on the delegation I'd say to you, "Chita, I know you may be sympathetic towards Johnson and I know that. I'm not asking you for any commitment. I won't try to get you to change your vote or anything. You just go there and you represent Johnson on that delegation. I'm doing this because if I don't, he'll come into California and we'll have a donnybrook and this is a compromise that we've entered into."

Stevenson didn't have anybody so we didn't have to make any commitments to him. But then after the Wisconsin and West Virginia primaries, Humphrey withdrew. When he lost in Wisconsin and lost in West Virginia, he was dead. So the Humphrey delegates--and that came after we'd selected the delegation--they were free to go wherever they wanted to go.

Brown: Another factor in the '60 convention (and I'm skipping all around here) there was a tremendous anti-Catholic feeling. Not anti-Catholic in the sense that people were against Catholics like the old prejudice of some of the right-wing Protestant sects against the Pope, how they hated him and all that, but that a Catholic couldn't be elected president. They felt very seriously. There never had been a Catholic president of the United States and this feeling was shared by a lot of Catholics. But I noticed at the convention some people that were very active in the Masonic Order just wouldn't go for Kennedy.

Fry: These people on your delegation?

Brown: On my delegation. Another thing, there was a movement to draft Stevenson because they were not enthusiastic over this young fellow, Kennedy. They didn't like Johnson. Johnson was kind of the pro. Humphrey was out of it. Symington never raised the cockles of their hearts. He didn't do anything for them. They all liked him, but didn't love him. So they wanted Adlai and they never gave up on Adlai. Adlai they just loved in California. So the Sacramento and McClatchy newspapers came out for Stevenson and so all the people in the Valley and all of the public officials that were on the delegation, everybody I selected, the McClatchys had such dominance that I couldn't move them at all. There were a couple of women that I put on the delegation that I felt were good friends, but they loved Stevenson more than they loved me and they wouldn't go with me either.

Fry: I tried to get who the liberals were of the Stevenson movement and some of the names I have down here are Ann Eliaser and Jane Morrison. George Miller, Jr. switched to Adlai at the convention?

Brown: Gee, I don't remember. George, of course, was a Kefauver man before that. I think Kefauver died, hadn't he, at that time? At least he wasn't a figure at the convention in '60. I can't remember.

Fry: I don't remember that. There was something about a lot of the impetus for the Adlai campaign came because the Senator from Oklahoma, Senator Monroney, was pushing it and maybe this was without Adlai's knowledge but it was to be used by Lyndon Johnson as a stop-Kennedy thing. Were you ever aware--?

Brown: Oh, yes, we knew there were a lot of shenanigans.

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Fry: What I'm going to do now is take this general story that you've given me now and we'll go over some of the details, okay?

Brown: Have you got the members of the delegation?

Fry: They're not on that one. They're in here, Pat. [looks for list]
Here you go.

Brown: I was really disappointed in some of the people that didn't go along with me, people that I put on that were my personal friends. For example, I had Nat Dumont on the delegation. Nat Dumont was one of my closest friends but he was selling steel and Johnson would have given him business, so he wouldn't go along with me on the [Kennedy] thing. Then a lot of the congressmen that were back east who were friends of Lyndon Johnson in the Congress that needed his help to get legislation through, I couldn't move them. So I had a lot of people that were--

As a matter of fact, I committed myself to thirty-two delegates for Kennedy or thirty, I think. I gave him thirty and I think I was only able to get two more. Each one had a half vote, so I got sixty-four. Yes, there were 160 delegates and we had eighty votes, so each one had a half a vote. We tried to increase the delegation by allotting a half vote per person. So I had sixty-four half-votes all together. But a lot of the people, the congressmen wouldn't go along with me and this Nat Dumont, as I told you, wouldn't go along with me. But I had Jimmy Roosevelt and I had, of course, Jack Kennedy's sister was on it, Patricia Kennedy Lawford and a lot of the union people were for him. But we gave him thirty-two votes. Joe Alperson was on the delegation. Joe's my partner now, and he went for Johnson, too. I couldn't move him and there was no chance. I begged, urged.

Jane Tolmach from Oxnard, she and another girl from Santa Barbara were people that I had insisted upon going on the delegation and then they wouldn't give me a Kennedy vote. I was so damn mad at them I could have shot them.

Fry: Now, what was it that they wouldn't go along with?

Brown: They wouldn't go along with Kennedy. I wanted Kennedy nominated.

Fry: But was your specific agreement with Kennedy, that you were going to keep neutral--?

Conversations with the Kennedys

Brown: I guaranteed him thirty delegates. I said to him, "You don't come in. You let me be the favorite-son candidate; I will give you thirty delegates. As a matter of fact, in a conversation I had with him in February where I urged him not to come into California (I think I told you this before)--

Fry: No, I don't know about your conversation with him.*

Brown: I went over to his Georgetown home and went upstairs and was very, very friendly and I said to him, "I hope you don't come in. I think it will hurt you if you get the nomination." I was not for him at that time, although I leaned toward him. I was really not for him.

As a matter of fact, I had a dinner the night before with a great many of the eastern leaders. I had dinner with Mayor Wagner and I forget the Democratic national committeeman (I can't think of his name, an Italian name, who later went to jail by the way) and Governor Lawrence of Pennsylvania and Green and Mayor Daley of Chicago. We were all Catholics, the whole bunch of us, every single solitary one of us were Catholics, and we had a little caucus. There was no publicity about it. I was really the only one that was all-out for Kennedy. I thought he could win. I thought he was the most attractive candidate and I thought he had--but the rest of them were all afraid that "you can't elect a Catholic president." It's hard to believe that, eighteen years later, but that's the way they felt about it. They felt very strongly that he couldn't carry any of the southern states at all. But I told them I thought he could.

Then the next day I went over to see Kennedy. I had a talk with him and I asked him to stay out and he said to me, "Pat, I'll tell you what I'll do. I'll stay out of California if you'll make a commitment to me."

I said, "What's the commitment?" He said, "That you won't run for vice president. If you become a candidate for vice president, you won't want me for president because they're not going to put two Catholics on the ticket, that's a cinch. So if you connive or collude or agree to be a candidate for vice president, someone will come to you and offer you the vice presidency, then you as the governor of the state will lead a fight against me. I don't want the governor of the state of California leading a fight against me at the convention. So if you'll commit yourself not to run for the vice presidency, I will not come into California."

He said, "Now, there's one other thing I'm going to request. It's not part of any commitment, but it's something that I request. If I win in West Virginia and I win in Wisconsin and I run second in Oregon, then I think I'm entitled to the support of the governor of California."

*See Johnson interview.

Brown: I said to him, "Jack, I make a firm commitment to you that I will under no circumstances be a candidate for the vice presidency if you stay out of California, number one. Number two, if you win in Wisconsin and West Virginia and you run second in Oregon, you'll have the support of the governor of the state of California even though you haven't asked for it, even though you haven't demanded it. That's what we'll do."

Fry: Do you mean you'd come out early for him if he won in Oregon?

Brown: No, I would be for him. I didn't say--

Fry: I mean publicly.

Brown: No, I mean just that I'd be for him at the convention. You're putting in an extraneous thing into it that I didn't say.

Fry: Okay, but I wanted to get it clear.

Brown: No, no, I didn't say I'd come out for him publicly. I just said that I would vote for him at the convention because I had theoretically an uninstructed delegation, that they were all free to vote where they wanted and if I came out for him that would have--I had to keep myself fluid. If I came out for any candidate, then my integrity would have been impeached, but I did make that commitment. So he said, "Fine." We shook hands.

He went on to win Wisconsin and West Virginia as you remember. I put up a mixed-up delegation of people, committed--I knew that there were people committed to Johnson and to Humphrey and I knew some of them were leaning toward Stevenson but I had those thirty Kennedy votes which he in adding up his states, that's all he really needed. He had this thing figured out pretty well. So that was all I committed to him. I delivered two more, that's all I delivered. I failed miserably in getting any more delegates as the governor. One of the reasons I failed is because of the way we formed the delegation. People thought I didn't have any muscle and I was not a forceful governor. But in order to have unity in California I gave up my strength as governor. Are there any questions about that?

Fry: Yes, why was that method of forming the delegation used, which was by an executive committee of ten people? Your name is not on that. I'll read the names I have.

Brown: Yes, I know, but I dominated it. They had to get my approval, because you see I was the favorite-son candidate. They had to promise to vote for me. If I didn't go for it, then the whole

Brown: thing would have blown apart, so I really had--I could ask them to do whatever I wanted to. But as I tell you, there were these congressmen that I knew were for Johnson. I mean I put them on the delegation. I knew I wouldn't have any control over them.

Fry: The delegation had so many incumbents in it, like fifteen congressmen, seventeen state senators, one U.S. Senator. Then you had--here's where you really seemed to lose control of it--you had local caucuses that would select maybe ten people. This selection committee then, as I understand it, was obligated to take two of those ten and put them on the delegation.

Brown: I think it's true. I think a lot of these, as I look through this delegation here, there were a lot of people who weren't too well-known that came out of the caucuses. The reason for the caucuses was to create more interest in the Democratic party, to permit participation, which was a good idea.

But after Kennedy won (let me skip to this and then you can go back), after Kennedy won in Wisconsin and West Virginia, Humphrey dropped out of it. But at that time we already had the delegation formed, and we had some Humphrey people on the delegation. So I couldn't control them because they were committed to Humphrey. They were on the delegation so they were free agents, and we had those that came out of these caucuses that were free agents too. But I had my little thirty-two Kennedy delegates, and I was for Kennedy. Kennedy knew it. I had made the commitment and none of us said anything about it.

At any rate, we held the first meeting of the delegation. I went around the state, as a matter of fact, and I said, "This is an uninstructed delegation. You give us the mandate to go there, we will select the man that we think will be the strongest candidate. I am personally not committed." That's what I said. I said, "I will go there and get who I think will make the best president of the United States. You can't tell. They're all running."

This is March and April and there were primaries right up to June. "You can't tell who's going to emerge as a strong candidate and if you commit yourself to one candidate, maybe by the time you get to the convention he would have been out." So it was really an uncommitted delegation and not only uncommitted but unbossed.

But now the delegation is won. We knew we'd win, of course. There was no question about it. I got a call from Berlin (I forget his first name) who was the president of the Hearst Corporation with whom I was very friendly. Berlin said to me, "Governor, how would you like to be vice president of the United States?"

Brown: I was fully aware of my commitment that I'd made. I said, "Are you in a position--?" You've got to remember, this is the head of the Hearst Corporation throughout the entire United States; this is a big newspaperman and I asked him, "May I ask for whom you're speaking?"

He said, "I think you can guess, but I'm not going to tell you." I said, "Lyndon Johnson?" He said, "I won't tell you." But that is Lyndon Johnson.

He said, "I'm only asking you to do one thing. Hold your California delegation for one ballot, just one ballot, and make them vote for you as the favorite son. If you do that, I can almost guarantee you the vice presidency. I cannot guarantee it because there's one other person to be considered, but I think you would get it. The ticket would be Johnson of Texas and Brown of California."

I said to him, "Let me tell you what I've done. I've made a commitment not to be a candidate for the vice presidency. I don't intend to break that commitment." So he said, "Can I send someone out to see you?" I said, "Sure, you can send anybody out you want. But I'm not going to break my commitment."

So he sent a man named General Tim McEnerny out to see me. He stayed at the mansion all night. He was a good friend of mine. He came out with his wife and I told him, "Absolutely not. There's no chance of it whatsoever." So my vice presidency went glimmering.

Then old man Joe Kennedy came in to see me. He came in to see me at the mansion one day--what the hell was the name of that fellow? He was one of Kennedy's principal, principal men.

Fry: Larry O'Brien, Kenny O'Donnell, Ted Sorenson? Any of those?

Brown: No, a Jewish name. Any other names?

Fry: No.

Brown: Well, Joe Kennedy came in with this man at any rate.

Fry: Was this man a Bostonian?

Brown: He was a New Englander, I can't think of his name. So he came in. He wanted me to come out for Kennedy before the--this was after the June primaries--but before the convention. He said, "I want you to commit yourself to my son before the convention."

Lobbying for Kennedy's Nomination

Brown: I said, "I'm for him." Well, they were afraid of me. They were afraid I'd--I said, "No, I'm not going to do it because I think it will weaken my position. If I come out for Kennedy at the convention at the right time, that will be the time to do it." I disagreed with their political judgment, but God, they were really miserable. They really wanted me to do it. And I wouldn't do it. So they walked away very unhappy from the meeting, Joe Kennedy.

So I had the pressures on me from the Kennedy people to come out and from the Johnson people to hold the delegation. They thought the delegation would break apart after the first ballot. He had commitments on the first ballot where people legally had to vote for him, like in Ohio and Indiana. They told me that on the first ballot, Kennedy would get less votes than he did on the first ballot.

But before the Democratic convention took place, there was a meeting at Glacier National Park. There was a governor's conference at Glacier National Park and I went up there and I was uncommitted. I was the favorite son. They theoretically had to vote for me on the first ballot. There were also three other states that were uncommitted. One was Iowa with Governor Loveless and the other was Kansas with Docking and the fourth was Meyner of New Jersey and I called them into a meeting. I said, "Gentlemen, I want you to know this. I'm coming out for Kennedy at the convention. I'm telling you this in the beginning so you can tell what you're going to do. I've got fifty votes in my pocket for him, which is going to be enough to put him over, so you men better come out for Kennedy too. I'm telling you this in confidence." They never broke the confidence either.

So they said they were going to come out for Kennedy too, so I called Jack Kennedy and I said, "I've got two other states for you. Don't worry about it." Meyner wouldn't go. He just stayed tight, which was a terrible mistake on his part. Kennedy never forgave him for it. Meyner thought he might have a chance as a dark horse for the presidency or maybe the vice presidency, but he stuck. He made the delegation vote for him through the first ballot and never wavered.

So we went to the convention. And then I met Bobby Kennedy. He called me and asked me to come down and see him. I came down to see him and he said, "I want you to come out tonight." That's Thursday.

Brown: But in the meantime I was trying to get Clair Engle to come out for Kennedy. I kept trying to get Clair to come out for Kennedy, and I said, "Wait 'til Sunday when we have our caucus. I'll come out for Kennedy Sunday at the caucus." Well, this was Thursday. They wanted me to come out Thursday for them and I said, "No, sir. I'm not going to do it."

Kennedy was almost insulting, Bobby Kennedy. I never got over it. I mean who was this punk kid that was talking to the governor of California, see? But it didn't influence me one iota.

I tried to get Clair Engle. I thought if the United States Senator and the governor both come out for Kennedy that I'd be able to get ten or twelve more delegates, which would ensure Kennedy's selection on the first ballot. So Clair said, "I'll do it, but wait until Sunday." So I wanted until Sunday and then the son of a gun on the vote, he wouldn't vote for Kennedy. He was really for Johnson. He came out for Symington for president. He voted for Symington. So that screwed us up again.

There was an awful lot of conniving going on at the convention, but I lived up to my commitment and never wavered. But apparently the only one who knew about my commitment was the president. He may have told Bobby what he was doing; but they didn't like the fact that I had to come out on Sunday. They thought I was vacillating and I couldn't make up my mind. But I knew damn right well what I was going to do all the time.

Fry: To back track now, why did you put so many legislators on the delegation? Why did you accept that formula?

Brown: In California really the only political organization you have was the legislators and the congressmen. Each one had his own little coterie in there and I thought that they'd give me strength at the convention. Then when you also put on these people from the caucuses, it made a pretty strong delegation. This was a strong delegation. But Kennedy lost California. He lost it to Nixon.

Fry: But by 35,000 votes!

Brown: There were 100,000 absentee ballots and he won in the absentee votes. The absentee votes are usually people of affluence that are going on a vacation or something like that. We thought Kennedy won.

Fry: Wasn't there something about southern California's vote being unusually low for a Democrat?

Brown: That I don't remember. I can't remember that.

Fry: Can I ask you about a theory that I read in some book or paper?

Brown: Sure, ask me anything you want.

Fry: All right. One reason that you did have so many legislators on here was because you were trying to patch up and increase your rapport with the legislature after the Chessman affair.

Brown: That may have been a motivating force. I don't remember it as such because I had pretty good relations with the legislature then. Even after I gave Chessman the reprieve, I only lost it in the Senate Judiciary Committee by one vote, so I did pretty well in the legislature. I had very strong support from the legislature during the first four years of my administration. I had loyalty and friendship and cooperation, and I did things for them, and they did things for me. It was really a very splendid four years outside of that six or eight months after January when I had the Chessman reprieve and going to the 1960 presidential convention in Los Angeles.

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National Convention in Los Angeles; Later Confrontation with Lyndon Johnson

Fry: Did you want the convention to be in Los Angeles? That's sort of the heart of Stevenson country.

Brown: I can't remember. I don't think I was particularly keen to have it there but when the movement started the governor had to be for it. You couldn't be for the convention being outside your own state.

Fry: That was Pauley's idea?

Brown: I don't know whose. I can't remember whose idea, probably Paul Ziffren and probably the mayor of Los Angeles. Was Sam Yorty on the delegation?

Fry: He might have been.

Brown: Who did he come out for, Lyndon Johnson?

Fry: Yorty came out for Nixon after the primary. [chuckles]

Brown: Did he? [It was] because he was so anti-Catholic, that was one of the reasons for it. Did you know that?

Fry: No, I didn't.

Brown: God, Yorty was a bum from the beginning to the end, wasn't he? He came out for Nixon. Can you imagine that?

Fry: There was a big ticket uproar early; that Pauley had put up about \$300,000 or some sum like that (there are a lot of different estimates) and he expected to get 5,000 tickets to give away to his friends for the convention. There was a big argument that ensued, and I think it was settled at a meeting in Denver maybe. But Pauley's host committee was dissolved August 17, 1959, because of an impasse with Paul Butler, it said, and Pat Brown wanted some tickets. [chuckles] Do you remember any of these difficulties?

Brown: I remember it. Yes, I remember it very well. I didn't pay much attention to those things, though, at that time. I didn't care a hell of a lot about the ticket situation. I thought it would just cause trouble to give them away, and they pestered the living hell out of me, but I had to maintain my prestige in getting the tickets. But I remember the fight they had. I think Ziffren got most of the tickets. Whoever it was stacked the convention with Stevenson people, and at the convention [they said], "We want Adlai, we want Adlai."

It was overwhelming to the delegation. But I can remember sitting there and saying, "You're not going to get Adlai." Adlai was very angry with me for not coming out for him. He thought that I was probably bought off of something, but he had lost in two elections. I'd been his leader, and I came to the conclusion that this guy just can't win. He's great and would make a great president, but he lacks one quality: winability.

Fry: Ziffren was replaced as national committeeman then, I think by your efforts.

Brown: Yes, that's right. I got rid of Ziffren because Ziffren was fighting with the majority leader in the U.S. Senate; California needed Lyndon Johnson and he kept rapping the hell out of Lyndon Johnson. I kept saying, "Please lay off," and he wouldn't do it. So I finally decided to put somebody in there that would be more amenable to Lyndon Johnson.

Now, I had another incident that occurred that should be recorded for history. [chuckles] I was on "Meet the Press" before the Democratic convention in Los Angeles and one of the questions they asked me [was] do you think Lyndon Johnson could carry California and I said, "No, I don't think so. I just had breakfast with Lyndon Johnson and I have a very deep respect for this man. I think he's a great political leader, but I don't think he can carry California. There's two reasons. Number one, we have a great many

Brown: minorities in the state and we have to have those minorities to carry our ticket and they will not vote for Johnson because he's from Texas and Texas has done nothing in the field of bettering the conditions of the minorities in the United States.

"Number two, they have a big fight over El Paso National Gas. Texas and oil are equated and therefore Johnson couldn't carry California."

Well, Johnson was goddamn mad at me for that. Jeez, everybody that went back to Washington after that, he'd tell them what a sonofabitch Pat Brown was for saying that. Finally I went back one day later on, I can't remember when it was, after he was vice president and we had a meeting and he just let me have it. Not in a mean way, but he really gave me the works. We were there for about two and a half hours this guy talked, talked, talked just like I'm talking to you now and he gets right up close to you like this, and you finally back away.

There were about six Senators [there] and they all left and Johnson wouldn't stop. He didn't even know they left! Telling me what he'd done for civil rights. God, he went into everything. It was the damndest thing you've ever seen in your life. But after that we became friends; we became great friends. I nominated him for vice president in '64 and Bernice and I spent two nights at the White House as his guests, so it was a very pleasurable relationship that I had with Lyndon Johnson later on.

Fry: Once he got it off his chest!

Brown: Once he got it off his chest.

Fry: What did you say to him, if anything?

Brown: Well, I just said to him, "That's the way I felt about it then, Lyndon. You carried the South for Kennedy, what the hell are you talking about"--which he did. If they selected anybody else, Kennedy I don't think would have been president.

Divisions in the California Delegation

Fry: What did Kennedy do here to help congeal the delegation before the convention; anything at all?

Brown: Before the convention we'd have caucuses and all the candidates came in and addressed the convention and Kennedy was really superb. By this time he'd become a very fluent speaker. He was really very, very good. He was much better than Johnson or anybody else at our convention. I'll never forget, Mrs. Roosevelt came in supporting Adlai Stevenson. She came and made a beautiful talk and Jimmy was there. Jimmy was for Kennedy too, so it was a little embarrassing. But she spoke very well and everybody respected her. But it didn't influence any votes. Everybody knew who they were for. But I can't remember.

After the primaries, Kennedy came into California. They all came in, of course. They all came in and made speeches. I treated them all very well. But I can remember going up and down the state, asking people to vote for my delegation and saying it was uncommitted and, as a matter of fact, I had committed myself to Kennedy.

So we had a debate and it was Ted Kennedy and Murray Chotiner (who was Nixon's friend) and myself and somebody else (I can't remember who it was), the four of us, and all of a sudden Chotiner turned over to me and he said, "Why don't you tell the people of the state of California the truth, governor? You know you're committed to Jack Kennedy." So I was really caught and I had to say, "I'm not committed to anybody." It was on statewide television, but history will record that I was a damn liar. I had already committed myself to him..

Fry: Well, your delegation voted for a lot of other people too though, didn't it? [chuckles]

Brown: I don't know how they finally voted. Have you got the vote? Let's see how it looks.

Fry: What I have here and this is not quite exact, I think, for the final vote. Here it is, 33.5 for Stevenson--why don't you read it?

Brown: Thirty-three and a half, Kennedy; 31.5 Stevenson; Symington and L.B.J., 7.5. Who is P.B.?

Fry: P.B.--Pat Brown.

Brown: Oh, Pat Brown, a half vote. Is that for the presidency? Yes, I got a half vote. Gus Hawkins gave me that vote. They booed like hell with that one-half vote, because they were all Stevenson people and they were mad as a bastard at me for voting for Kennedy.

Fry: Was there any backlash on your getting rid of Ziffren that created all of this furor over Adlai?

Brown: There was a backlash. It created a lot of unfriendliness. It created a great deal of unfriendliness. I think I made a mistake because Paul was really a good Democratic national committeeman. But I was thinking more of federal-state relationships than I was--I like Paul. I always did like him. I always respected him and I always liked Stanley Mosk too. As a matter of fact, I like Paul better. I felt more comfortable with Paul. But Gene Wyman and some of the southern California people felt that Ziffren was doing the state harm and he'd been there a long time as the Democratic national committeeman. But I got rid of him. I mean I was the one who fired him and Ed Lasker, who was a close friend of Ziffren's, he never forgave me for it. He got up and called me every name in the world at a Democratic caucus.

At the convention, Chet Holifield--I released the delegation on Sunday and came out for Kennedy on Sunday--and at this meeting Congressman Chet Holifield got up and he said, "You have made a commitment to the state of California that you will hold that delegation for one vote and you told me you'd do it. You're a liar."

He was really rough. It was one of the roughest speeches I ever heard by a congressman. But he really went after me. But I released them anyway and they could do whatever they wanted to. At that time I just sat there and let them say anything they wanted. It was a tough situation and it was a quarreling, fighting delegation that had kind of reverberations in the general election too.

State Election Issues and Results; Unruh Politicking

Brown: But then after the convention, I went up and down the state campaigning for Kennedy. I made good speeches for him too, and for the Kennedy-Johnson team. But at the same time I was campaigning for the water bonds, and I would make a speech at noon at the Rotary Club in Santa Barbara and then I'd make a speech at night--

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Fry: And at night you'd make a speech to another group?

Brown: For Kennedy. I was really working up and down the state and the night of election (I'm skipping around but it's rather interesting; these are the things that stand out in my mind) we were at the Beverly Hilton Hotel and as the last returns came in it looked like Kennedy had carried California and we had lost the water bonds. The next day, Orange and San Diego returns came in and we carried the water bonds and we also carried for Kennedy, so I was a very happy governor. I had won both my big fights.

Brown: But then Bernice and I went down to Argentina on a trip, Argentina and Brazil, and we were down at some city down there (I forget the name), a beautiful little city. I was presiding over a meeting and a couple of Republican governors came up to me and said, "Pat, I just want you to know that the absentee ballots have been counted and Nixon carried California." It didn't make any difference in the election because he'd already won it, but it made me look a little bit bad when I couldn't carry my own state for my candidate. California's a tough state politically though.

Fry: Yes. Was this harmful to you with the Kennedys, who were used to the eastern tradition of--

Brown: --The bosses. It was harmful to me. They couldn't understand, even though they knew the set-up of it, why a governor couldn't control his delegation. Lawrence of Pennsylvania, his vote was--however many votes they had--eighty-two for Kennedy, when he made a commitment. Illinois with Mayor Daley--but I was just a weak sister. Now, Unruh was working with Kennedy and so was Fred Dutton. Fred, as a matter of fact, left me to campaign, I don't know how soon afterwards, to campaign for Kennedy. A fellow named Bill Munnell who was the head of the Democratic caucus--

Fry: Yes, he was chairman of your delegation too, I think.

Brown: Was he chairman of the delegation? No, I think Clair Engle was chairman of the delegation. I don't think Bill Munnell was chairman of the delegation. He may have been chairman of the campaign committee or something. But he was not the chairman of the delegation. The chairman of the delegation was Clair Engle. But at any rate, to this day I've always felt that Munnell was really for Johnson but he came out for Adlai Stevenson. He didn't think Stevenson would have a chance, but they all--the strategy of the Johnson people was to get to the second ballot. That's what they wanted. They wanted to keep as many ballots as they could because they thought that the Kennedy forces were very weak in some of the states and they would break away. The anti-Catholicism was very strong and this guy was only forty or forty-one years of age if you remember. So it was a fragile thing. To this day, I believe that Unruh and Munnell--they were as close as thieves--that they made a deal that Unruh would go for Kennedy and Munnell would go for Johnson and then after it was over with whoever got it, why, they'd bring the other fellow in and give him a very important position in the campaign. I've never been able to prove that, but I knew how those two used to kind of, they were so close I couldn't imagine them going for opposite candidates.

After the campaign was over with, Unruh went back and his political bossism was of great appeal to the Massachusetts--the Irish Mafia there. They got along fine with this tough, hard-boiled politician as against the weak-kneed vacillating Governor Brown, see?

Fry: This was the year that Unruh started his slush fund for the legislators. This was the first year that he'd started that.

Brown: Oh, did he? I didn't remember that. But I appointed Ralph Brown Speaker so that Unruh could be Speaker when I put Brown on the appellate court. Jess and I were getting along very well then. I took Ralph Brown and made him an appellate judge and that opened up the speakership for Jess and I did this as an act of friendship for him and he was very good during the next two years. He was very loyal, very friendly, very supportive and then after the second four years he wanted to run for governor himself and then he got pretty nasty and pretty rough. He was an arrogant, smart guy.

Fry: On your water campaign, did you have Preston Hotchkis working on that?

Brown: Yes, I did--the senior Hotchkis.

Fry: Was he the head of that more or less?

Brown: I think he was the head of the finance committee. See, he had big lands. We had a bipartisan campaign for the water bonds and Hotchkis helped very, very much.

Who else was very helpful in putting that together? All the water leaders of the state were in it and all the large landowners; they poured money into it. I don't remember who was the chairman of our campaign. But I really worked and I knew that subject like I knew the alphabet.

I just went in there and talked about it and I really convinced the people. I know I went up to Santa Barbara and I can remember Tom Storke going to a meeting and afterward he said, "Gee, you were really good today," and I knew I was, too. You know when you're good and when you're bad.

Fry: And you believed in it.

Brown: I sure did.

Fry: You were versus another delegation led by George McLain in the primary and you haven't mentioned that any. Did you have to campaign very hard?

Brown: No, not really. We knew he wouldn't get it. But he was protesting my failure to do enough for the--well, he got a pretty good vote though, didn't he? Do you remember?

Fry: Pat, I don't think I brought that with me.

Brown: I can't remember. Well, those things are available.

- Fry: In the finance of the whole thing then, who were your major moneybags and fundraisers and all that?
- Brown: I can't remember. We raised a lot of money. Ed Heller was the chairman of it in the north and down south we had every rich Democrat in our campaign--Carmen Warschaw and the rich Jewish people down there.
- Fry: Yes, I thought it was kind of interesting that (I think it was Elizabeth Gatov, whose interview is now completed and open) and she says that a lot of the Jewish community poured in their support to Kennedy, a Catholic. I wondered if you could remember losing any support because he was a Catholic?
- Brown: I lost some but I can't remember. I ran into that Catholicism in my campaign for governor too. Some of Knowland's people, particularly in the Valley, and some people on radio that questioned specifically whether a Catholic could run the state without domination by the Pope.
- Fry: There was some talk of northern California raising enough money so that some could be sent to southern California, or something like that. [tape interruption: door bell rings]
- Brown: I'm sleepy anyway. I'll give you about fifteen minutes more.

Convention Manuevers

- Fry: Okay, fine. We've covered most of it, I think. Let me figure out here if we need to cover anything else. Oh, there was a pre-primary endorsement of assembly candidates by the Los Angeles County Democratic Central Committee, and the court did not enjoin it from doing this, although when you were attorney general in 1954, you had ruled that the code prohibited pre-primary endorsement by a statutory party. So I wonder what your opinion was of this in 1960. Do you remember that?
- Brown: Yes, I remember. The opinion was that they were the political entity for the general election and they had nothing to do with selecting candidates, that this was against the primary law of the state of California where the candidates would be selected not by party but by the people.
- Fry: Yes, that was '54.
- Brown: Then when it got into court, the court held that it was a political matter, not a legal matter, and refused to enjoin it. So that was all there was to it.

- Fry: The other thing we haven't talked about is CDC in all of this. Was there a pretty big link overlapping between the Stevenson supporters and CDC membership?
- Brown: Yes. CDC was still all Adlai Stevenson from way back and they were irreconcilable in '60 about Adlai. They loved Adlai and Kennedy was not liberal enough for them and his father was anti-Semitic and a lot of other things, if you'll remember. They got some anti-Semitic literature passed out at the convention and things like that about Joe Kennedy.
- Fry: This was also the year that CDC had their first issues convention, in 1959, where they came out for their own particular platform of issues.
- Brown: They were pretty liberal.
- Fry: Pretty liberal, yes. I wondered if this was maybe why Kennedy didn't really use them a lot. He appeared at their convention but he didn't--
- Brown: He was afraid of them. Everybody else got a little bit afraid of them too because the Robert's Rules of Order and the extreme liberals would take over, and it really fed the propaganda mills of the Republican party that the Democrats were communists and nuts and everything else; they acted like it in some cases.
- Fry: At the convention did you have more than one meeting of the delegation?
- Brown: Oh, yes, we met almost every day.
- Fry: How did those meetings go? Were they rough or did you have a tight parliamentarian or how did you deal with it?
- Brown: We had a tight parliamentarian but we let people talk and there was a great deal of bitterness at the caucus. [pause] I can't remember the reasons for it, but I remember the Holifield speech which was a bitter, bitter speech and then the Adlai Stevenson people, they were really rough. They were the extreme liberals. They picketed me at the hotel where the delegation stayed and at the convention--somebody stacked it. My recollection was Ziffren was for Kennedy. He was supposed to have all the tickets. I can't remember how they got them. I think somebody forged a lot of tickets or something and gave them to the Stevenson people. I don't know about that. Who was Paul Ford? Do you remember? You haven't got the vote of the delegation, you haven't got any of the newspaper clippings?
- Fry: I don't have the names of people who voted. The early supporters for Kennedy were the Hellers, Congressman John Shelley, Lynch, Joseph Houghteling, Malone, Unruh, Swig, Warschaw--but then she switched to Johnson. Maybe Kent.

Brown: Yes, Kent was for him.

Fry: But I don't know what Ziffren was. There also were, I guess, a lot of rump sessions then of each group within the delegation.

Brown: Oh, yes, they'd have their little rump sessions at the hotels and caucuses and everything else.

Fry: Did you go to any of those?

Brown: Our Kennedy people would all meet in my room or somebody else's room to try to point out who we could influence. We'd give each one of the delegates--Unruh would take five and I'd take five and, God, I really hit them over the head. But I was absolutely, singularly unsuccessful. I attribute part of it to the real love that they had for Adlai, and the fact that I made it an uninstructed delegation specifically and, number three, the mere fact that my morale had been hurt by the Chessman thing five or six months before that.

Fry: There also was the usual thing going on about who was going to nominate whom and wasn't there some talk of putting your name in nomination?

Brown: Yes, I wouldn't let them. They wanted to put my name in first. They wanted to put me in nomination. They wanted me to hold that for one ballot. So they flattered me by saying, "Put your name in delegation. History will record you as a real candidate for the presidency," and all that.

But I wouldn't have any part of it. I released them. I wouldn't be a candidate. I made a Sherman-like statement and that was all there was to it.* I knew I was going to do that a long time ago. The only question was when should I do it? Should I do it back in June? Should I do it the day of the convention, the day we went to the convention? Should I do it on the Sunday before, or when? I did it when we had the vote on Sunday; that's when I did it and that's when Chet Holifield really blasted the living hell out of me.

Fry: What's the time span on that? That was not on the floor, was it?

Brown: No, that was in the caucus at the hotel.

Fry: The vote was how long after that on the floor?

Brown: The vote, I think, was on Wednesday. This was on Sunday. There was a lot of maneuvering that went on Monday and Tuesday too.

*This reference may be to "I do not choose to run" and is also found in a staff memo to Governor Brown, March 22, 1962, suggesting responses to Nixon debate issues.

Kennedy as Campaigner and as President

Fry: The other thing I want to know is what you thought about Kennedy then, just in general. We haven't recorded that yet. As a candidate, remember you got on a train with him for a whistle-stop campaign, which he probably had never done before, up in Oregon.

Brown: Yes, we got on at Siskiyou County, I think. What was it, Dunsmuir? I think it was. We got up there the night before and he came through early in the morning and we all got on.

Fry: Yes, Ted White tells about that in The Making of a President. He feels that that was a misuse of Kennedy's time. Did you think that that was an effective thing?

Brown: I always thought those whistle stops were a good thing: going through California and stopping at these little towns and television coverage and everything. I thought it was very good. Kennedy, I thought, was superb in those things. He had everybody laughing. At one stop I got off and they damn near left me at the train!

I thought it was very effective. I can't remember why he says that. I don't know. But I thought Kennedy was a superb candidate. I liked him very much. He had a sense of humor. He began to lose his voice there at one stage of the game and we had to get a doctor there to doctor him and he became much better in his speech as time went on. But he was such an attractive candidate and young people liked him and I liked him. I had a tremendous respect for Kennedy. I thought he was just outstanding.

He never invited me to the White House, but he did invite me to a ball game. You see the picture there [on the wall] when I went to the ball game with him. Whenever I went to Washington, I would walk in to see him. I was with him the day of the Cuban missile crisis. I was back there in Washington.

Fry: You flew back?

Brown: I flew back. That was in '62 during the last week of the campaign for the governorship with Nixon, and I had a talk with him. Of course, he was completely concerned with what to do with the situation.

Fry: That was the showdown with Russia over the rockets?

Brown: Yes.

Fry: You did come off, I think, with some chances to make appointments from the Kennedy administration.

Brown: Oh, yes, we had an understanding that he would make no appointments that I vetoed. The United States Senator Clair Engle had the federal appointment of judges and U.S. attorneys. But they insisted upon every one of them seeing the governor before he made the appointment. He worked out a very good relationship with me and no appointments were made without my approval.

Fry: Oh, I thought maybe you and Engle worked together on some.

Brown: We did, but Engle dominated the federal judgeships and things. If I had some that I wanted though, like a fellow named Ferguson in Orange County that I thought was very good, I would insist upon him. Engle and I got along very, very well. We were a team. He was an old personal friend of mine. We got along very, very well; never quarreled. I didn't want the damn patronage anyway. It just caused more trouble. Some fellows I didn't like, but he'd wait then. There was a judge in Los Angeles, Charlie Carr, who I thought had a terrible judicial temperament. He was a good lawyer; he was a fighting lawyer. But he was a mean, southern prejudiced guy. He's dead now so I don't want to--I liked him personally, but I thought he'd made a lousy judge. So I confidentially told him, "I won't go for this guy." But finally Clair called me up and he said, "I want him. He was my campaign chairman." I said, "All right," and he turned out to be a lousy judge too. He was a smart judge but a mean guy, a very mean human being.

Fry: Are you not telling me something? It just dawned on me that Kennedy must have offered you something.

Brown: No, there was nothing I wanted. There was not a thing he could give me. I was governor. What else could he give me? He selected Lyndon Johnson. He talked to me about it before he selected Johnson.

Fry: As vice president?

Brown: Yes, and I think I told him that I would favor somebody else. I can't remember who it was. Maybe it was Hubert Humphrey. I was surprised when he selected Lyndon Johnson when they told me. He didn't tell me he was going to do it. But it turned out to be a masterful choice because Johnson really added to the strength of the ticket, particularly in the South when he and Lady Bird started going through the South on a train. They had a whistle-stop through the South. That elected him.

Kennedy got big crowds in California in '60 and was very popular.

Fry: How come he lost in California? What do you think was the main thing?

Brown: I don't know. Nixon was a hometown boy. He was a Californian and California, despite its overwhelming Democratic registration, is really a pretty conservative state as demonstrated by the election of Reagan

Brown: and the election of Hayakawa and Eisenhower's overwhelming victory over Adlai Stevenson. We carried it for Truman, though, in '48, which was a surprise to everybody. But California's a tough state. You don't know what the hell they're going to do. It's a "media state" to a great extent.

Fry: There was Admiral Harley and Lyndon Johnson stumping for Kennedy here. In general, did you feel that the way he ran his campaign in California was effective?

Brown: I think it wasn't very good between you and me. I thought that Admiral Harley didn't know a damn thing about California politics, and Ted Kennedy was placed in charge of southern California. He was as green as grass. We were on a couple of debates and he was very ineffective, I thought. Pleasant, nice looking but not very good. But it wasn't a well-run state campaign for Kennedy. I can't remember what was wrong with it, but it wasn't too good. I can't remember who was the favorite or who led in the polls. I think it was pretty close throughout.

Have you got the polls on that?

Fry: No, I just have the pre-primary polls as things were cooking up. That was just as you said in February of '59, Symington and Adlai were both out ahead of Kennedy and then by October '59 Nixon was ahead of all possible Democrats, so it looked kind of glum then.

Back to patronage, you may know some stories about these. Elizabeth Smith Gatov became U.S. Treasurer. Glenn Seaborg, the chancellor of the university, was AEC chairman. Ed Day became postmaster general. Najeeb Halaby became head of FFA. Were you instrumental in any of those?

Brown: No, I was not. Elizabeth Smith Gatov was really the only one that I had anything to do with, but the rest of them were really selected by Kennedy himself or Kennedy's team back in Washington, outside of Elizabeth Smith. She later became Elizabeth Smith Gatov. I had nothing to do with any of them. Ed Day became, what was it, postmaster general? Yes.

Fry: Yes, that's right.

Brown: He and I got into a big battle over something later on. I don't know what the hell it was.

Fry: Okay, that's all except there's this one little thing. The Western Political Quarterly article says that the anti-Kennedys forced an early roll call and the results were released the second day of the convention showing how the delegation was split and that this hurt

Fry: any chances for more unity in the delegation. What did they mean? The anti-Kennedys forced an early roll call in hopes, I guess of more dissension within the delegation.

Brown: I don't remember.

Fry: You don't know why you chose Sunday as the day to--

Bad Moments for Brown: Renewed Confidence

Brown: No, I don't. I can't remember. I remember in the story in The Making of a President--who was the author of that? Black, wasn't it?

Fry: White!

Brown: A color, I knew I was right; Ted White. He said in there that Brown made a dismal performance vacillating, not knowing where to go and a sorry spectacle at the convention, which was a very untrue statement that he made there. But I didn't look good, there's no question about it. It wasn't because I didn't know I was for Kennedy, but that damn Chessman carried over. It was one of the worst years of my life, that whole year in '60, really it was miserable. As I told you, I wanted to resign. I talked it over very seriously with my wife and I think I talked it over with Mary Ellen Leary too on a confidential basis. You know Mary Ellen Leary of the university?

Fry: Yes; she was a newspaper reporter at the time.

Brown: Yes.

Fry: This was at the convention, Pat, when you thought you might resign?

Brown: Yes, at the convention when they booed me, I was ready to quit.

Fry: Who booed you?

Brown: The mob.

Fry: The California delegation?

Brown: Not the delegation, the audience. The people that were there when I was nominated, when I got two votes or whatever it was or one-half vote. I think I got one-half vote by Hawkins; just a half vote, why they booed me and booed me and I really got--it really hurt me. So when they had the acceptance speech at the Coliseum the next day and they were all there, I slinked in, literally slinked in. God, I

Brown: didn't want anybody to see me. I was afraid they'd boo me again. I was scared to death that that big mob would boo me. Isn't that terrible?

Fry: Oh, you must have felt just dreadful.

Brown: Oh, I felt awful. You have no idea.

Fry: You wouldn't have been able to have foreseen then that you were going to beat Nixon in '62.

Brown: Well, as a matter of fact when we get down to '62 at the next meeting, I didn't think I ever would. I began to gain confidence during the campaign and I got better, but I never thought I'd beat him and I still think to this day the only reason I beat him was the Cuban missile crisis when I was called back to Washington as a member of the civil defense committee, dropped all campaigning; because he was gaining on me again in the last week.

Fry: What did you think the effect of the U-2 incident was in this 1960 campaign? Do you remember pilot Francis Gary Powers was embarrassingly caught--

Brown: I think that helped Kennedy. Was that Eisenhower?

Fry: Yes.

Brown: Eisenhower handled it badly.

Fry: Well, Krushchev--

Brown: Krushchev walked out on him and insulted--

Fry: Is that when he banged his shoe?

Brown: No, that was in the United Nations later on. But it made Eisenhower look weak and vacillating and he lied about it. They all lied about it.

Fry: Well, I thought maybe because it brought up the whole need for more armaments in national defense and all of this and the red threat that Nixon could have really, and did as a matter of fact, make a lot of hay out of that and he could go back to his 1950 speeches again when he ran against Helen Douglas.

Brown: I can't remember Nixon in '60.

Fry: Last time we were talking about these events that occur that you have absolutely no control over and that will come in and affect an election. I thought maybe that was one.

Brown: There's always things that affect an election, it seems to me, that you have no control over, events that make you--like the right-to-work in '58 was the thing that really elected me more than anything else because labor really went all the way out and, of course, the fight between Knowland and Knight, people didn't like that at all. In '62, the war. Of course, the debates were pretty good. I did pretty well in the debates with Nixon. In '66 I had the '64 Free Speech Movement.

[Date of Interview: June 28, 1978]##

Brown: Where did we leave off?

Fry: We left off at the end of the 1960 campaign when Kennedy had won the presidency, but not with the help of California, and you had been through a terribly disappointing time, especially at the convention. That was what I wanted to pick up on because I wanted to ask you when you were considering resigning (you obviously decided not to). I wondered what pros and cons you weighed or if you ever really seriously considered it, if this was just something that you felt like doing?

Brown: No, no. I was really very depressed. I felt the people were very unappreciative. As you know, I felt that I had done so well that first year as governor--and the fact that I had given this man a ninety-day reprieve, I didn't think it called for capital punishment on my part. I mean the Democrats; I didn't worry about the Republicans. But when the Democrats booed me at the convention, then I was really, really frustrated, number one. Number two, the fact that some of the people that I had made as governor (of course, they had made me too) had refused to go along with me for Kennedy, I [thought] just, "Let them go to hell." I had earned my pension. I had to wait until I was sixty in order to get it, but I didn't have to worry about my future at that stage.

I thought why fight this thing out? I was really dead serious about it. But I'm glad I didn't because I went on to win and defeat Nixon, which I regard as the greatest achievement in my career. I thought that I had buried this "bad man" (quotes). It was really a great personal tribute to come back and win the campaign. I recovered for the finals to the extent that I was making speeches in '60 for the water bonds throughout the state and making speeches for Kennedy. I really felt that I was very effective, particularly in the water campaign. I knew that very well.

I don't think that a governor plays too much part in the affirmative in supporting a candidate. The president stands on his own. I don't think he needs any corroboration by the governor, although if the governor comes out against him, it can hurt. But being for him doesn't do a great deal of good. Nixon was a Californian, of course, and had a great many friends here and everything else. But I campaigned very hard throughout the fall for both of them [Kennedy and the water bonds] making four or five speeches a day. I enjoyed it thoroughly.

Brown: At the end I can remember making a speech in Santa Barbara, where they were not for the water program, at the Channel Island Club. After I got through, I could see that I had convinced them. It's always a very sustaining thing to see a crowd turn by reason of the logic of your arguments, so I enjoyed that very, very much. I was very disappointed in northern California that they were so shortsighted as to not realize that we had to dam the Feather River and sell the water to the south in order to get the money for the dam. We proceeded upon the theory that there was plenty of water in the state, which proved to be true until this year.*

We still would have had enough water to sustain us through three dry years if it hadn't been for the fact that later on Reagan signed that Wild Rivers bill, which cut any possibility of a dam on the Eel, and also postponed the building of the Peripheral Canal. So those were the two things that really hurt the project.

*The 1978 drought which severely curtailed water supplies in northern California.

XIV 1962: RUN FOR RE-ELECTION AGAINST RICHARD NIXON

Getting in Shape

Brown: The campaign itself, I think, was well organized. I really think we won it for two reasons. Number one, I think I was effective. I think I told you I lost weight. I lost thirty pounds.

Fry: No, you didn't tell me.

Brown: Didn't I tell you that?

Fry: No, but someone did. Maybe you did. I was thinking that you had lost weight and went into some kind of training? What all did you do?

Brown: Oh, yes. I weighed 210 pounds. I'm looking at some of the pictures there and you can see how fat I was. I'm even twelve pounds under that right now. I weigh 200 stripped. The first thing I did was that Bernice and I played golf at El Paso Golf Club at Sacramento every day for thirty days. We'd get out there at 6:00 in the morning and we would walk as fast as we could walk. We didn't have a caddie and we didn't have a cart. Usually it takes about four hours and we'd play it in two hours, just cut it in half. I didn't have a drink. I didn't eat any potatoes or bread or carbohydrates of any kind. It was a meat diet. So [with] the exercise and the diet and no drinking, I lost thirty pounds in thirty days. I think my appearance on television was improved tremendously as a result of that.

Then in addition to that, I made a retreat. I think it was probably in February. I went down to El Retiro and for three days I retreated from the world in silence and just meditated upon life and religion and things like that. At that time, I was really a very devout and practicing Catholic. I went to church every Sunday, went to the sacraments, and tried to live up to the tenets of the church. I found great solace in it too. Bernice never joined me in the church. She

DISTINGUISHED DEMOCRATS



In consultation with W. Byron Rumford



With Senator Clair Engle and state chairman Stanley Mosk, St. Francis Hotel, San Francisco



Conferring at a party convention with Attorney General Thomas Lynch



The Governor with Justice Mildred Lillie

Brown: was never reconverted to Catholicism. I say re-converted because she was baptized a Catholic, but she was a very sustaining force with the children throughout my entire career. She sent the children to Catholic schools and saw that they went to church on Sunday when I was away and things like that.

Then the third thing I did was after--that was on the spiritual side to try to get myself in good moral shape--and then the third thing I did was to bring everybody down to Palm Springs. This was all done probably in February or March. I can't remember the date that I did these things. I brought my staff and we just went into every possible thing that we could do for the state. I had two men that we called devil's advocates that started attacking positions we'd take and we'd argue it out so that when we got into debates, I'd be able to answer them. So physically, mentally, and spiritually I was ready for the '62 campaign that came along later. This was all done in '61 and early '62.

Fry: How did you get the idea for approaching it this way, a three-faceted training program?

Brown: I don't know. I just felt that I had to train for this campaign against Nixon, when he got into it. I knew that the polls were way against me. I had lost considerable prestige by two things: Number one, the Chessman case and, number two, my inability ostensibly to control the '60 delegation, although the way the delegation was put together, I really felt that I had to put advocates of all the candidates on the delegation.

Further Thoughts on the 1960 Presidential Nomination

Brown: So they really were not beholden to me. They were beholden to the candidates who named them. We'd go to Symington and he would name somebody. I don't think Lyndon Johnson was a candidate, but he had a lot of friends, through the congressmen, on it. There were no Adlai Stevenson people on it at the beginning because he was not a candidate and said he wouldn't be a candidate and then he finally changed his mind about a week before the convention. I guaranteed Kennedy thirty votes and I got thirty-two.

Fry: Last time it sounded like this was as good as anybody in that position could have done, but I guess you still got blamed for it.

Brown: I think that's true, and I don't think the national press realized it, as I said before about Teddy White criticizing me in his book. Later on, I talked to Bobby Kennedy one day about it and some of the members of his immediate staff. None of them knew about this agreement that Jack Kennedy and I had entered into.

- Fry: He didn't? Bobby was the one who tried to get you to release early at the convention.
- Brown: That's right. I told him that I intended to release, that he didn't have to worry about it, but he wanted to get it over with. He was kind of snotty in it. He kind of annoyed me, and I never got over that annoyance with Bobby Kennedy.
- Fry: When you released on Sunday, was that an earlier release than you had promised Kennedy?
- Brown: No. I hadn't promised Kennedy when I would release. I just told him I would be for him. I had adhered rigidly to the commitment that I wouldn't under any circumstances be a candidate for vice president. I don't know whether I would have been offered it by Johnson, but I think the California delegation would have meant a hell of a lot to him if I had come out for Johnson at the convention. It might have stopped Kennedy.

Starting from Behind

- Fry: As 1962 approached, did you ever have any doubts that you would run for re-election?
- Brown: No. Well, I did. They took a poll.
- Fry: The polls didn't look good.
- Brown: No. They took a poll, I think, in probably about August or September of 1961 and the polls showed that I was running way behind Nixon in California. Maybe it was after Nixon got into it. It probably was after he got into it, probably in December. I was back in Washington and Lou Harris who made the poll came to me and said, "You're very weak, Pat. You're sixteen or eighteen points behind. But you have some strength and if you go to the strength--"

I can't remember the items in the poll, but it really looked discouraging. The fact that he told me that I had strength and Nixon had weaknesses, the actual vote where he was seventeen or eighteen points ahead of me, caused me to really lose my confidence. I really didn't want to run and be defeated. So I told the Democratic chairman (I can't remember who it was) that was there and I think Senator Engle; "You guys better get another candidate. I can't beat him. I'll withdraw." Unfortunately, they agreed with me.

Fry: Engle agreed too?

Brown: They all were very pessimistic. The polls were so bad that they thought maybe we better get another candidate. So we decided to check for about two or three weeks before we made any announcement of whether or not I would be a candidate again. They finally came back and decided that I was the only candidate and win, lose or draw, they had to stick with me even though they were pessimistic.

Fry: What had they found out that made them--

Brown: They just couldn't get anybody else. There was nobody else. They couldn't get Anderson. Mosk was the attorney general. They didn't think he could win. Engle wouldn't run for governor. We talked about Engle dropping out of the Senate race because he had two more years to go in the Senate. We thought he might run but he didn't want to be governor. He was a Washingtonian, and he had lived there and everything else; so it was just that they had no other person of statewide stature. So I was just the best of the crop.

I think in my heart that I really wanted to run again and I had great confidence in myself that I could overcome his lead, although Nixon really frightened me with the fact that he had defeated Kennedy in California in 1960 and only lost the presidency by a relatively few hundred thousand votes out of many millions. He was a very formidable candidate at the time.

Fry: Nixon had said that he wasn't going to run. He made that very definite statement--

Brown: Yes, but he said at first he was not going to run--

Fry: Then September 28 he said he would.

Brown: That's right. I knew he said that in '61, because we were away and we rushed back. He was going to be on statewide television to make his decision. When I got in there, the first thing I heard was, "I had been advised not to run."

I thought he wasn't going to run. Then as the thing went on, I really kind of sunk in my--I really was very low when I found out he was going to be the candidate. We watched him on television and it really frightened me to know that he was going to run, although I probably would have been frightened of anybody at that stage of the game.

We got into it though, and the Democrats organized. Of course, the thing that I think hurt Nixon very much was, more than anything else, was that \$300,000 that his brother borrowed from Howard Hughes.

The Hughes Loan: Television and Other Encounters with Nixon

Fry: I wanted to ask you about that, Pat. It's always been a fascinating story to me. Do you think that all of that is really true, that Nixon really did do that?

Brown: Oh, yes; I've had corroboration. He went to Howard Hughes or Howard Hughes came to him. It was arranged by one of Nixon's old friends and one of Hughes's friends, and he told him that his brother needed the money. Of course, he was the vice president, in charge of some of the procurement where he could really help his brother in this thing.

Fry: Do you mean Nixon was?

Brown: Nixon, yes. For him to borrow on the security of a \$30,000 piece of property, \$300,000; today, it would have been another Watergate, between you and me. The press kept after him on it. They never let him down. They never let him forget about it it threw him off base. Every time they asked him about it, it bothered him. Until finally in our debate he turned around to me in the debate and he said, "I understand, Governor Brown, that you've been going around the state saying that my brother borrowed \$300,000 from Howard Hughes. If you have any evidence to prove that anything wrong was done, produce it now in the presence of statewide, national television."

Well, I was taken aback because we weren't supposed to ask each other questions, and he hit me right in the jaw with it. My answer to it was that I hadn't said that. I'd heard the rumors. I said, "You can answer that question yourself. You know whether it's true or not. I have no evidence to prove it, but if it's not true, you can disprove it."

But I didn't come through very strong. It was really a very dramatic moment and I thought right then and there that he had really hurt me in the debate. But that night on television when I watched it, watched the rebroadcast that night, I could see that he came through as a mean guy and I came through as a nice human being. Even though the people that walked out of the debate felt that Nixon had defeated me in the debate, after the statewide broadcast I think the general consensus was that I had won the debate. From there on out we moved up.

Then there was a debate at Stanford. It seems to me that that came up before the television debate. At that debate I really slaughtered him, in the one at Stanford before the newspaper editors. But at the other one at the Fairmont Hotel, that one I felt that I had lost; but as I look back on it, I think I won.

Brown: Then jumping over the debates, throughout the campaign I did well in my speeches. I gained confidence. We had good organization and Nixon really made a poor campaign. Finally at the end he started talking about communism and Haldeman and Nixon and Murray Chotiner, they started accusing me of being a communist. Well, that was just overcharging and I really think it hurt him. First, the people knew that I was a practicing Catholic and they knew that a Catholic wouldn't be a communist and they just didn't believe that Pat Brown was a communist even though I belonged to the Lawyer's Guild back in '46 and '47 and I didn't resign until the early fifties. He got more shrill about it.

Then he pulled a couple of dirty tricks. I think I told you about that last time. Didn't I tell you about the two little girls from Thailand that came in to see me, and as they came in they put their hands together and they kind of bowed as they came in. So I had a picture taken of myself. I think it's in one of those papers there. I came in and I kind of bowed with them just like they did. So they had a picture of me. They cropped the picture and they had me bowing to Krushchev which was just ridiculous and that was a dirty trick.

We had four statewide television telethons. We had them in various places throughout the state at about two-week intervals and they were very, very effective. We had a crowd and we took questions from the telephone audience and we really took them. There was no hanky-panky.

Fry: They weren't screened?

Brown: They weren't screened at all. I would take the questions and answer them.

Fry: Reston said they were screened.

Brown: I had breakfast with Reston the next morning after the first telethon in Santa Barbara. He never said a word to me about it, and then he wrote this very nasty story. I called him up and I said, "Where did you get that information that the questions were screened before they were given to me?"

He said, "I talked to the manager of the station." I said, "Mr. Reston, did you know he was Nixon's campaign chairman in Santa Barbara County?" He said, "No."

I said, "In all fairness to me, why the hell didn't you ask me when we had breakfast that morning, because it's absolutely untrue." I met him over in Geneva five or six years later. I was still angry with him, that he would make that accusation because I thought he was

Brown: a good reporter. He was very apologetic about it and said, "I realize I did." But they never retract. Newspaper people never correct the things no matter what they say or do or anything like that.

Fry: But that was the New York Times.

Brown: That was the New York Times but, of course, Reston was carried all over the United States. He was a syndicated columnist.

Cuban Crisis; Republican Dirty Tricks

Brown: The other thing that helped in the last week of the campaign we had the Cuban crisis. At that time I was vice chairman on civilian defense. Rockefeller was the chairman. Kennedy asked the governors to come back, so I dropped all my campaigning. The campaign the last week when Nixon expected to reach his peak, the campaign died. It was like a balloon losing all of its air, and I became a national figure. I was back there and interviewed and everything else.

Fry: You were on the--

Brown: The Civil Defense Committee of the National Governors' Conference. Rockefeller was chairman and I was vice chairman so we met back there. I can remember having a meeting and we were briefed on all the things that were going on and where they expected an attack from Cuba if we were attacked. Florida would probably be--if the missiles were launched, that that's where the attack would be and we were all supposed to be prepared. I'll never forget saying to Rockefeller as I walked out (he was running for re-election in New York at the same time), "I know you want to run for president again, Nelson. I just want you to know that you don't have to worry about Nixon because I'm going to take care of him next Tuesday."

I'll never forget. He looked at me kind of funny--"Does this guy really believe it?" I looked at him. I was so confident. I wasn't that confident but I looked confident. He thought, "Who the hell's this guy?" Rockefeller and I got along very, very well. He and I would communicate on the telephone about things that he found to be good and things that I found to be good, because we both had comparable problems in the two big states of the union.

So that was that, but Nixon had telethons. His were four hours. He about about four or five too, but his were too long. They got boring. Mine were two hours and the people really didn't have enough. They were very interesting and we'd have to shut it off. We did it very well. Gene Wyman would show a picture of me bowing down to the two Thai girls. Then we'd take the cropped picture and we'd show it.

Brown: Then we filed a suit against Nixon on that phony Democratic organization that he and Haldeman got together.

Fry: I have a memo here dated July 1963 from Roger Kent that kind of summarizes that.* That was the so-called committee to save the Democratic party [Committee to Preserve the Democratic Party in California].

Brown: Yes. By the way, I'd like to get a copy of that. I'd like to have it for my own.

Fry: All right. So you brought an injunction suit and you got a restraining order.

Brown: Yes, stopping it.

Fry: This was something at the end of the suit, they really did trace it back to Nixon.

Brown: Oh, they took a deposition and he had approved it. I don't know whether we took Nixon's deposition.

Fry: You didn't take Nixon's.

Brown: We took Haldeman's.

Fry: Also Leone Baxter nailed him on it. She told about being in a meeting with Nixon and the printer.

Brown: She represented Nixon in the campaign.

Fry: Yes, and that he okayed this.

Brown: That's right. We had him dead to rights.

Fry: At any rate, this was a part of a larger piece of the campaign in which the CDC part of the Democratic party was called pink or communistic.

Brown: The CDC came out with a lot of resolutions that just shows they were way ahead of themselves, but most of the things that people said were radical--abolition of the Un-American Activities Commission, recogni-

*Talk given to CDC meeting.

Brown: tion of Red China, and all those things. [chuckles] They've all come to pass almost. The majority of people are for them. The CDC-- you can see how it took a little time for them to prevail.

Fry: How vulnerable were you when Nixon got off on this pink smear business?

Brown: It was very ineffective. If he had stuck to the issues and his own worldwide experience and leadership against the weak, vacillating Brown and laid off the communism, I think he could have beat me. There's that old Latin expression, I think I've used before, "Falsus in uno, falsus in omnibus"--false in one, false in others. I just argued that to beat all hell, and we just took him.

Water and Agricultural Issues

Brown: We had a good campaign and my own people were genuinely fond of me. I had put that water project over which helped me in the south; but you want to realize that I never carried a mountain county after that. They were all opposed to selling that water, to transporting that water over the Tehachapis down to southern California. It was a violent opposition of most of the northern California counties. Most of the people thought that I was doing it to help myself in the south, but I really never thought of political gain in the water project. It was just something that I felt would be necessary to California, and whether it was good or bad politically, I was for it.

We lost the water project in forty-eight of the fifty-eight counties too, I think, in the polls. If you check the vote in 1960, you'll find out that we lost most of the counties. We only carried one or two counties in northern California. We carried Kern, I think. The whole Delta was against it; still are. To this day they're still against it. I think we carried Butte County where we were building the dam. We lost San Francisco and Alameda. Of course, they all had their water so they didn't give a damn about it. San Francisco had Hetch Hetchy and Alameda had the Mokelumne River.

Fry: You're talking about 1960?

Brown: I'm talking about 1960. I'm skipping around.

Fry: In this campaign that we're talking about (1962), there was your usual fund-raising effort and it was called "Dollars for Democrats." I guess that went off all right, but the weak counties in the contributions which showed up in your papers were the southern agricultural counties--Kern and the San Joaquin counties. This surprised me. I thought because of your water plan those would be behind you.

Brown: I lost the same people that Jerry lost with his agricultural labor program. I supported a program for vountary meeting of the farm labor people to help them and I also fought for the abolition of the so-called wetbacks, keeping them out of California on the grounds that they depressed labor. So the farmers were just absolutely against me even though they did very well. After '58 I never carried Kern County or any of them. I think I carried Tulare and a little county up there, Madera County. But most of the other counties, even though I had good organization in those places and good people for me--

Fry: It was your stand on farm labor?

Brown: I think I carried Fresno County. I'm not quite sure. You haven't got the county polls in this thing, have you? You probably have some place.

Fry: I didn't bring it with me but we've got them.

Brown: I may be wrong about it, but that's my recollection. They should be checked and some memo should be in the files--

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Fry: What did you feel was the reason for weak support in the agricultural counties?

Brown: I attributed it more to my agricultural labor program. They were doing well and I put the water program over. The farm labor situation is just one that's dear to their heart. They had cheap labor and, of course, they wanted to keep that cheap labor. You've got to understand that the farmers, if they don't have labor when their crop is coming in, that they can lose a whole year's work and it can be absolutely disastrous. I don't think they felt that I was sympathetic to the farmer's position and probably I wasn't. They could tell. But the farmers are generally conservative.

Now, Fresno County and Stanislaus County--that's where I'd like to see the returns--and Sacramento County have the Bee, the McClatchy newspapers who supported me 100 percent. I carried those counties every time, I think, until the Reagan campaign. I can't remember how many I carried in the Nixon campaign, but I think I carried forty-eight of the fifty-eight counties. Maybe it was forty-two or forty-three. I think the McClatchy newspapers and their support helped me.

But in the Reagan campaign, I think I lost all those counties. I only carried four or five counties--my own county and Alameda. They were all--except for San Francisco, where I always won by an

Brown: overwhelming vote, where they knew me well. I was always very proud of the fact that here was the county that knew me best, where I had lived and worked as district attorney. I enjoyed tremendous support from them in every campaign and Jerry has too, although he hasn't lived there really since he went into the novitiate in 1956.

Unruh's Get-Out-the-Vote Effort

Fry: I want to take you back now to the early part of the campaign because I would imagine that Kennedy was quite eager to see you polish Nixon off.

Brown: Oh, yes. He didn't want him to run again two years later.

Fry: So what was his part in this? I think you went back to the White House and talked to him rather early.

Brown: We had a talk and he agreed to come out. Did he come out? I don't know whether he did. Did he come out in '62?

Fry: I think he agreed to come out and as I understand it the Cuban missile crisis interfered; you had a big dinner in which Kennedy was supposed to be the star speaker, but he didn't appear because of the missile crisis.

Brown: Of course, I've always felt that a governor has to win it on his own. I don't think a president helps a gubernatorial candidate at all because when the president comes out, he becomes the number one man. Attention is zeroed in on the President of the United States, and the governor is diminished to the extent that he's number two because the crowd always pays attention to the president. So I wasn't quite sure that I wanted Kennedy out there anyway, although Kennedy was a very popular president in 1962.

Fry: I had visions of him giving you advice and help and aid and everything else from the White House.

Brown: I don't think he gave me very much aid or help. He may have but I can't remember it. We won it on our own. I repeat: I can't remember what he did for me. He would have. We were very friendly.

That was before Unruh and I really had a battle. Unruh was very helpful in the campaign. We gave him \$100,000 in cash. I don't know where we got the \$100,000 in cash. We gathered it from a great many sources that didn't want it known that they were helping

Brown: a Democratic candidate. We gave it to him in cash and he just employed all sorts of people in the black and Chicano communities. The best get-out-the-vote campaign that we've ever had. I'd like Jess to do that again, if Jerry can raise enough money.

Fry: So you feel that it's really important in getting out votes?

Brown: I think it's important in a close campaign and ours was a close campaign. In other words, if you get 100,000 votes--I only won by 280,000 or something, so 135,000 votes could change the whole situation.

Fry: In reading about the election there was some disagreement on whether that was worth all the effort and all of the money that was spent on paying the workers to get out the vote because you did carry L.A. County. [Pat Brown carried L.A. County by 112,000 votes. There were 11,000 paid workers at a cost of \$150,000.]

Brown: I carried it pretty good.

Fry: But there was a higher percentage of Republicans who voted compared to their registration than Democrats.

Brown: That always happens.

Fry: That's typical, isn't it? [tape interruption: Brown gets glass of water] Let's talk more about the whole atmosphere of that 1962 election. There was still a lot of anti-communism floating around in other places. On the ballot you had the Francis Amendment, Proposition 14.

Brown: Yes, but it went down to disastrous defeat.

Fry: It lost three to two but at first everybody was scared of it. It was to expand the definition of dangerous communistic activity.

Ballot Measures in 1978; Jerry's Re-election Campaign

Brown: Yes, we've got somewhat the same situation with capital punishment here now. There's a right-wing move right now that is using the initiative in California, like on 13 and they've got one putting a ceiling on state expenditures and capital punishment and anti-homosexuals and all that sort of thing. This is all part of a very narrow perspective, I think, on the part of people.

Fry: Is the initiative being used to get out the vote of a certain element of the party?

Brown: It's used to put a guy on the spot, like Jerry; a single man. Where is he going to stand with homosexuals? He's against a bill like that; therefore, he's a queer. Or if he's against capital punishment, it will accentuate the fact that he's against capital punishment. He'll have to take a stand on those things. The only thing he can say (he can't make an issue out of it) is to answer it very briefly and say, "I'm against it, but I'll enforce it."

There's some good things in it too. I think seven years is too short for a life-imprisonment sentence where a person is eligible for parole. They don't get out in seven years for first-degree murder, but this would make it fifteen years; and people are going to be for that, with life imprisonment with possibility of parole in some cases. So Jerry will have to answer those things.

Fry: How do you think Proposition 13 has affected Jerry so far?

Brown: I think it hurt him very badly in the primaries. I think he was losing votes hand over fist at the end. But I think since the election, I think he's handled it very politically and very well. I don't think he could have done anything else. I think there's been some bad things that have come out. I think the fact that the \$3.5 billion surplus is now turned into \$5.5 billion makes it look like he was not frank with the people, number one. Number two, there were some doomsday stories that have not come to pass because of the \$5.5 billion surplus. But that surplus would have been invested in California in some way. Jerry tried to get property taxes removed, but I think it accentuated the fact that he failed in leadership. Whether or not he's to blame for it, when you have to get a two-thirds vote--it's not a monopoly but the control that a minority has over a majority.

Fry: Oh, oligarchy.

Brown: I always opposed it. When I was up there in Sacramento, you'd see ten or twelve guys lick you one on an issue. I believe in the rule of the majority although in some cases I think the majority can be overbearing too. But weighing it both together with all of the checks and balances that you have, I think that the majority should prevail. I'm against a two-thirds vote for anything.

Fry: Do you think that part of the problem was lack of leadership in the legislature?

Brown: The liberals always go too far. They wanted this bill that tied property tax to your own earnings and it was a good idea. I think there's merit in it. It's a share-the-wealth program where a person

Brown: who has a home that has an income in excess of \$100,000, let him pay more taxes. Half of it's paid by the federal government anyway; you deduct it from your income tax. That would give more property-tax relief to the guy that's earning maybe \$40,000 a year. I think it's a good idea. I would be for it. But when they couldn't get it through--they needed a two-thirds vote--they still stayed tight. Now, I called him up personally. I said, "Jeez, the damn 13. I'm dying while you guys try to put something [together] that you haven't got a chance of getting over."

I called Dunlap and I called Nick Petris and I called Sieroty, all three of them, and I got nowhere with them. I blame those guys for the catastrophic situation that's resulted. It's terrible, between you and me. People don't know the results. Jerry's throwing everything out to make it work, but what they're going to do later on--

Fry: Next year?

Brown: Next year it's going to be rough. [pause] The people that get the benefit of it are the business community. Jeez, these guys who own apartment houses. They're all going to make--it's a windfall. They get two-thirds of this seven billion bucks. Bank of America, nineteen million dollars; the telephone company, the utilities, they won't gain anything by it because they're only entitled to a fair return but they'll make some money on it too because it isn't exactly the money they've cut back. They'll probably make two dollars and they'll give a dollar back to the consumer.

But I think Jerry's going to win, though, because I think Younger is a weak guy. He's a moderate. He's a nice human being, but he's not well. He's sixty years of age, sixty-one years of age. He's a very heavy drinker, and he's done some things that I think will develop in the campaign and may hurt him very, very badly before they get through. His own people, his own people from the Republican party, think he's a weak sister. He has no color. But, of course, he's never lost. He's won every campaign. He damn near got beat four years ago, though.

Fry: The Times said this morning that Jerry had suffered a loss in Congress yesterday because of the treaty with Great Britain that didn't let California--that did keep the unitary tax. Is that what they call it?

Brown: Yes, Jerry wanted to reduce the unitary tax. But I think Jerry was right about it and I think it will help him with the business community. Most people don't understand the unitary tax anyway.

Fry: It would just be the businessmen?

Brown: I don't know how it comes out. I thought they won it. I thought they eliminated that part of it. I can't tell.

Fry: It was a flip-flop.

Brown: He came out against it, and then he got into it and he decided to be for it because Jerry feels that jobs are very important. He thinks people investing in California will be very worthwhile.

Fry: Okay, back to your campaign against Nixon. Some of the other things that they've charged you with on this communism bit were the communist speakers on campus. There were some implications that the campuses were ridden with communism. Apparently the regents were upset-- Mrs. Chandler or somebody--

Brown: Mrs. Hearst was the worst. She's a nice little lady, but she's not very smart. She never made sense. I'm very proud of the fact that in that campaign I stood up for free speech and let anybody say what they want. If you'll remember, I never retreated on iota on those things. Did you know that?

Fry: Yes, I did, but I didn't know that Mrs. Hearst had come out--

Brown: She came out against me.

Fry: She did?

Brown: Oh, God, yes. She was terrible.

Fry: [laughs] I read an editorial that said it's not likely that the university is going to lose very much by these accusations and you have people like Mrs. Hearst on the board of regents as a sort of symbol.

Brown: I didn't appoint her. She was appointed by Knight. She was a nice little lady. Bernice and I spent three or four days up at that place up by the McCloud River. I was very friendly with--what's the name of the mother of Patty Hearst?

Fry: I don't know.

Brown: Bern? What Hearst was that up there in the McCloud River?

B. Brown: Oh, that was Randy.

Brown: Yes, Randy and Catherine Hearst.

B. Brown: The kids were all up there too. They were little though then.

Brown: Our children?

B. Brown: No, their children. Just you and I went up there. They had their children and the oldest one as I recall was a little retarded.

Brown: Yes, they had one retarded child. I was governor when I went up there. I became very friendly with Hearst. As a matter of fact, I became very friendly with Dick Bolin of the Hearst newspapers and I had three of those newspapers support me. I had the Examiner supporting me over Nixon in San Francisco and I had the Call-Bulletin and I had the Los Angeles Examiner, I think. The only one I didn't have was the Herald.

Fry: You didn't have the L.A. Times.

Brown: No, the Times supported Nixon.

Debates and Questions

Fry: I wanted to ask you about that debate again because I ran through a file of strange correspondence and memos between Warren Christopher and you, and Warren Christopher and Robert Finch; Christopher and Finch were apparently the ones delegated--

Brown: Yes, I remember that. They were our surrogates in working out the debate.

Fry: Right. I wondered at the time if you really wanted the debate or if you were trying not to have it.

Brown: Well, I was torn between two things. Number one, I thought he'd beat me in debate. He was a good debater and I didn't have much confidence in my ability to debate. That was number one. Number two, I realized that if I didn't debate that he would probably beat me, so I had to debate. But I wanted to limit the debates because I felt that his debating skills were greater than mine. I thought I had the record and I could handle it better in an individual selling of myself. I had great confidence in that. But I didn't have confidence in my ability to be in the debate. I watched him debate Jerry Voorhis and he was very clever in his debating skills. He had been a debater at college and I hadn't gone to college at all, so I suffered from lack of confidence.

- Fry: I have here a transcript that must have been taken down at the time of the debate. It doesn't read quite right in some places, Pat. See the title on that? It doesn't call it a debate. It calls it a discussion.*
- Brown: I guess maybe we did that. Where did you get this? I wish you could Xerox this.
- Fry: I think that's part of the same collection as that Nixon scrapbook that I gave you.
- Brown: Let me read this just for a minute; I'd like to read this. [tape interruption: Brown reads transcript]
- Fry: I read your opening statements.
- Brown: Did you think it was pretty good?
- Fry: I thought it was good, sure. It covered all of the points that I had understood from other secondary reports on the campaign that you were trying to make which was your record.
- Brown: [pauses to read further] I'm not going to read the whole thing. I just want to read what Nixon has to say.
- Fry: The chairman called him down when he broke the rules and asked a question of you directly.
- Brown: He always has somebody in the audience, some little boy or some little girl. [pauses to read further] They still use the same argument today:

"Today, we have the most costly state government in America. Our taxes are the highest in America. We can't blame this on increased population because government expenses have gone up three times as fast as population and taxes and as far as balanced budgets are concerned we find that the only reason we have is that the Brown administration has imposed a billion dollars over four years in new taxes on the people of California."

[continues reading silently, sometimes pausing to chuckle] This year what's-his-name was talking about exactly the same thing! Listen to the first question:

*"Text of Nixon-Brown Discussion at National Conference of UPI Editors and Publishers, October 1, 1962, Fairmont Hotel, San Francisco." Copy in Brown papers in The Bancroft Library.

Brown: "I am Jim Trach, Courier Post from Camden, New Jersey. Governor, I read in the East that Mr. Nixon opposes allowing public speakers on university campuses to have taken the Fifth Amendment on questions regarding communist affiliations. Reports dictate that there is a basic difference. Is it correct to assume that you believe communists should be allowed to speak on university campuses even though they have failed to register under orders of the Supreme Court and the Attorney General of the United States?

"Mr. Brown: No, that is not a fair conclusion to be drawn from any statements that have been made. The University of California and the board of regents have adopted a rule that no communist should appear (speak) on the campus of the University of California. I believe the president of the university and the fine board of regents composed of people like Mrs. Hearst [chuckles] and Mrs. Chandler can well take care of the speakers on the campuses of the University of California, and I agree with their position with respect to the people that have taken the Fifth Amendment. That has to be decided on the individual speaker. Communists and people who fail to register should not be permitted [Gee, I didn't say it] to speak on the campuses, so I am willing to leave it to the board of regents. Mr. Nixon has made a statement that he will issue a stiff order banning communists from speaking on the campuses of the university. The Governor of the State of California has no such power, and I don't believe in political control of the University of California in any shape, form or manner."

So I kind of weaseled on it.

Fry: Here's something else that you might like to look at. Here are some questions that your campaign workers developed to call in on Nixon's telethon.*

Brown: Oh, really?

Fry: This memo that I found has ten questions in it, and it seems to have come from Saunders. It's a memo from Tom Saunders to Jack Burby on your staff.

Brown: Yes.

*Memo, T.N. Saunders to Jack Burby, "Nixon Questions," March 22, 1962.

Fry: He says on the cover sheet: "You'll recall that the governor suggested that we plant questions wherever possible at Nixon events."

Brown: [laughs] Yes, we did that. They did it to me, too.

Fry: [continues to quote] "John McDonald has drafted a few. These are attached for your comment. We would also like some additional questions." Then somewhere else I read that on Nixon's May 30 telethon, Roger Kent submitted twelve questions. Roger Kent was the northern California chairman of the party at the time. He submitted twelve questions and then offered \$1,000 reward per answer for proof that any had been answered directly by Nixon!

Brown: [laughs] Oh, that's so funny! I've got to read this business. This is really very interesting.

Fry: The questions that Kent submitted were on the purchase of Nixon's house, support from Jimmy Hoffa, endorsement of the John Birch Society (whether he would accept it or not)--

Brown: He turned it down.

Fry: And the John Birch congressmen that were running. Anyway, you can look at those questions [in the Saunders memo]. Pick out a few and read them on the tape, Pat, because otherwise we won't get them in.

Brown: Nixon questions. [pauses to read] Boy, if they had ever gotten hold of this memo! [reads from memo] "The governor suggests that local legislators furnish the people to ask the questions. I think we can handle this through our campaign structure." [laughter] Let them put a couple of television. "As you know, nearly two-thirds of California's budget appropriations are for so-called fixed charges, including such things as state aid to education, welfare, and highway construction. Since, by and large, these fixed charges were enacted by the voters themselves and not subject to changes by the executive, how do you propose to accomplish really substantial cuts in the budget?" (That's a good question.)

"Two, you have been critical of the tax policies of Governor Brown's administration and have stated that the policies are keeping new industries--especially defense industries--out of the state. How do you square your views with recently released figures showing that California's defense contracts are at an all-time high volume and with such surveys as the one conducted by Business Week magazine showing that California is the first choice of industries that are relocating or expanding?"

"Three, since your announcement that you are a candidate for governor, several newspaper articles have appeared under your name on foreign and international issues. Doesn't it mean that you really are still running for the presidency, and shouldn't you focus your attention on California? [chuckles]

Brown: "Four, you maintain, in other words, that you will not seek the presidency in 1964. Wouldn't it be a good idea to make a flat Sherman-type statement on that subject since there still seems to be a good deal of doubt as to your intentions?

"Five, your critics in analyzing your voting record in Congress say you have established a consistent anti-labor record. How do you explain your votes against industry-wide bargaining, against expanding the social security system, and in favor, in 1949, of excluding a million workers from minimum wage protection?

"Six, as you know, many state problems today depend on joint state-federal cooperation. Many Californians are saying that the state is benefitting profoundly from the fact that Governor Brown and President Kennedy are of the same political persuasion and that the two administrations have been able to work together in complete harmony. Isn't there a good deal of truth in this argument?

"Seven, since you are apparently opposed to both of them, which would say is the most dangerous: the John Birch Society or the Democratic party?"

[laughter] Oh, these are great questions. [continues quoting]

"We've been hearing in this campaign about some of the things you are against. Can you tell us some of the things that you are for for California besides generalities?

"Nine, California's state water program, which is moving ahead has been called a magnificent achievement by resource experts and leaders in other states. You've been emphasizing conversion of salt water to meet California's fresh water needs. Would you junk the present water development program?

"Ten, you have been critical of what you call wasteful social welfare expenditures in California. Do you favor in reducing state aid to the aged, needy, or unemployed, and can you be more specific on your charges of waste?"

These were damn good questions, weren't then? Well, I've got to get a copy of this. I want to read this. I'll get more laughs out of this than I will out of a comedy. Let me keep this, will you, and I promise you I'll send it back to you.

Fry: Oh, all right. I'm making a little pile here of the things you want Xeroxed.

Brown: Let me keep just this one. I've got to read this debate. This will put me in good spirits--I hope! I'm not so sure.

Fry: I guess the questions that Kent devised are probably in his papers at the Bancroft. They may not be the same as those.

Harry Truman and Other Campaign Aids

Brown: They probably all worked on it together. There was great harmony in the campaign. We really worked together. Nixon was a very hated pro. His campaign against Jerry Voorhis and Helen Gahagan Douglas and his attacks upon Truman were not forgotten. Truman came out and campaigned for me, too. He hated Nixon with a passion. As a matter of fact, he told me not to answer Nixon--"Just let Nixon talk and he'll defeat himself." That was Truman's advice to me, and he made a speech at Oakland that was great. He had them really singing in the aisles. Of course, this is ten years after he left the presidency.

Fry: Did you follow his advice at all?

Brown: Well, I tried to follow it, but you couldn't avoid debating him in some stage of the game.

Fry: He never would refer to Nixon by name. He always called him "that other fellow."

Brown: Oh, yes. He was really funny. The funny thing about Harry Truman, before he'd make a speech he'd take two or three glasses of bourbon and branch water (that's what he called it, branch water) and he really--it was always amazing to me how he would get up and make a speech after drinking. He didn't drink to excess; but two or three drinks would have laid me in the aisle if I had to make a speech. But he got up and did it very, very well. I can't remember. I don't think he read his speeches and I can't remember him having notes. I can't remember that.

Fry: I was wondering how he coordinated his speeches with what you wanted to bring out in the campaign.

Brown: Oh, we didn't. Just bring him out and let him talk. He was really good. We liked him very much. Did Kennedy come out? No, I don't think he came out at all during the campaign. I can't remember.

Fry: He definitely was planning to.

Brown: Yes, I know he was.

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Brown: What's your next question?

Fry: I stopped you right in mid-sentence.

Brown: I can't remember what I was talking about.

Fry: Regarding your men, it looks like you had a sort of triumvirate. Hale Champion, Don Bradley, and Tom Lynch were your main people.

Brown: They were the men outside. Bradley was the political organization man. Tom Lynch was the solid guy in my campaign. He was a tough law-enforcement man. He was district attorney of San Francisco and very well regarded by the sheriffs and district attorneys of the state. He gave me substance. Bradley was the strategist from organization; get out the vote, registration. But he didn't participate too much in policy decisions. Warren Christopher was a source of great strength for me. I have great confidence in Warren Christopher. I argued a case in the Supreme Court when I was attorney general on the tidelands case and he was very helpful. We worked very closely together, and as a result of that argument in the Supreme Court and the help that Christopher gave me, I gained a tremendous respect for him. His advice was very solid.

I think Fred Dutton had left me at this time. I think I relied upon Hale Champion. Then we had Jack Burby and we had Roy Ringer, our press corps, and a fellow named John McDonald. They were very, very good. They were really excellent press people. Jerry seems to handle his own press, but I relied upon these people tremendously. I had great confidence in them and they influenced me a great deal. I was sure of some things, but some of the subtleties of public opinion--I was never quite sure. I don't think I lacked confidence. I think I had that, but I wasn't too sure of myself. I was sure on the issues, things like fair-employment practices, the water program, the master plan of higher education, and the consumer counsel. Those were things that were my issues and my things. On crime, I was against capital punishment, against gassing people, and I never retreated in it whatsoever. But I didn't want to emphasize it because the polls showed that 70 percent of the people wanted it at the time. Still, I had to be politic about not trying to shove something down the people's throat. I had to minimize those issues.

Strategy and Republican Supporters

Fry: What would you say that your central strategy was against Nixon?

Brown: I think the central strategy was to talk about the accomplishments of the first four years which were really great. I think history today will record that the first four years of my administration was as good as any four years in the history of this state. I think Hiram Johnson's

Brown: administration probably did more over a longer period of time to change the political structure of the state, with its crossfiling, the progressive movement, the nonpartisanship in municipal elections. But I think for growth and building the university and social changes and things like that--the abolition of crossfiling.

These things had a profound effect upon the elections. I tried awfully hard to get a purity of elections bill. I tried to get the abolition of price fixing and liquor and the [state] supreme court just knocked [it] out after I left office, and I think the U.S. Supreme Court too. I lost the support of the retail liquor dealers on that, and that played a part in my defeat. I lost those. I can't remember the year that I did, whether it was '62 or '64. My issue was affirmative--talk about the issues and attack Nixon on his lack of honesty and candor and his vicious attacks upon Democratic candidates, his voting record while he was in Congress and while he was senator, his very conservative record, and to appeal to the liberal forces of the state which were still on the rise in '62.

Fry: Your billboards, I think, said, "Pat Brown, a man you can trust."

Brown: That was psychologically decided upon because we wanted to leave the inference that Nixon was a man that you could not trust. I don't know whose idea that was, but I embraced it at any rate and we thought that was good psychology. I had forgotten about that. I've forgotten about a lot of these things.

Fry: Did you talk with Nixon at any time during the campaign or actually--?

Brown: I talked to him at the debate down at Stanford and I think after the debate was over at the Fairmont Hotel. I'll never forget. He walked over to me in a very unctuous way and said, "You did very well, Governor." I said to him, "Thank you."

The television was still on us and I said under my breath, "You son of a bitch." [chuckles] I was really mad at him, like the way that he--that he'd won the debate--like the prize fighter that picked up the defeated foe and put his arm around him and picked him up at a prize fight. That's the way--he was psychologically pretty good but it was somewhat obvious that I was like a defeated foe. I really thought that I had lost the debate when I walked out of the Fairmont Hotel. My people thought so too. But I think of television, I watched it that night and I said to myself, "Gee, I did damn good." That was my reaction. We watched it down in Hollister that night, I remember.

Fry: The opinion polls show that he won the debate. Yes, they show that the people thought that he had won. Now, that doesn't mean that these people felt that he would make a better governor.

Brown: Thought he won the debate? Well, maybe he did. When he struck me with that question about his mother, I'm very anxious to see how he asked that question. That's why I want to look at that.

Fry: Nixon had a pretty rough primary.

Brown: Oh, [Joe] Shell went after him. That's right. That helped too. Shell wounded him, and the fact that he took on the John Birch Society. He said he didn't want the support of the John Birch Society, if you remember. That hurt him with the arch conservatives in the state. That was a mistake. Now, Reagan didn't make that mistake. Reagan answered the question in '66 by saying, "If they're supporting me, they're buying my philosophy, I'm not buying theirs," which was a much cleverer answer than Nixon who repudiated it. As the person who was dying and they said to him, "Do you denounce the devil?" He said, "At this stage of my life I'm not in a position to denounce anybody."

Well, that's the way Reagan was. [laughter] You heard that story about the man that was drowning and he was going down and someone said to him, "You're going to die and you better denounce the devil." He said, "At this stage in my career I'm not going to denounce anybody."

Fry: Speaking of which, it looked like you might have gotten quite a few Republicans on your side. I thought I recognized some new names, who had not been in Republicans for Brown before. The names I picked up are Earl Warren, Jr., Butch Powers, Robert Eaton, and (in an interview that is now open), Keith McCormack thinks he remembers that Jack Smith (Arnholt Smith's brother in Independent Oil) also came over to your side.*

Brown: Yes, he did. Jack Smith came over for me. Arnholt Smith, however, did not. He was supporting Nixon down there. But Jack Smith was very close to Bill Keck, the oil people. Nixon had done something to the Kecks. I don't know what it was, but the Kecks were very reactionary Republicans. Funny as it may seem, they hated both Knowland and Nixon, so I was the beneficiary of their money. In the Nixon campaign, Keck gave me \$25,000 in cash. I'll never forget that.

Fry: [laughs] You must have fallen over dead when you met.

Brown: I pretty nearly fell over dead, that's right. He gave it to me in cash, and I had somebody there. He wanted to give it to me one day, and I wouldn't take it because I didn't have anybody there. I said, "You come back tomorrow."

*Earl Warren's Campaigns, Volume III, Regional Oral History Office, 1978.

Brown: So they came back the next day to my Nearfield home down in Los Angeles. Then I had Don Bradley there with me, so that they'd know that even though it was cash that it went into the campaign coffers. I didn't want them to think that I would take any of the money.

Fry: Why didn't you just have him write a check?

Brown: He didn't want it known. I said, "Whose money is this, Mr. Keck?" He said, "Oh, this is Mr. X's or somebody else." I didn't try to verify it or anything.

Fry: Would this have included Morton, too?

Brown: Harold Morton? Yes, Harold Morton was for me because he was Keck's lawyer; and so Morton, who was a very conservative Republican, he supported me too. Those people that you have--Bob Eaton was married to Goodie Knight's daughter and he was very friendly with Cal Eaton. They were all friends of Bill O'Connor back in 1958, so we had become very close with Bob Eaton. Earl Warren, of course, hated Nixon so his son--I was the beneficiary of that hatred Earl Warren had for Nixon. Who else did you mention?

Conversations with Earl Warren

Fry: Do you think Earl Warren asked Earl, Jr. to help you?

Brown: I'm sure that Earl Warren, Jr. wouldn't have gotten into it if the old man, if Earl Warren didn't say, "You go into it."

You see, Warren and I became quite close friends when I was attorney general. He's told people later that he had watched me as district attorney in San Francisco reform the office of district attorney; and he saw an office that he thought was corrupt in a city that was corrupt, he saw me come along and handle it with what he thought was great skill. When I was attorney general for three years when he was governor, we worked very closely together. I'd go up and sit there and talk with him when he was governor. I'll never forget it. He was patient and strong. I think I influenced him and he influenced me. I think we both had an effect upon one another.

Fry: I think Earl, Jr. was the head of Republicans for Pat Brown, wasn't he?

Brown: He became a Democrat later on. Who was the other one? You had one other there.

Fry: Butch Powers who had been the leader--

Brown: Butch and I became friendly. He had been the lieutenant governor.

Fry: Yes, for Republicans.

Brown: He had been the lieutenant governor with Knight; he'd been defeated in 1958 when I defeated Knowland. He ran for lieutenant governor again. I appointed him too. I gave him a job as director of Professional Standards. I gave Butch a job because he was a very popular fellow. It was a good appointment. It was a good political appointment, and Butch was always a hell of a nice guy. I liked him very much and he liked me. But it was an unadulterated political appointment.

Fry: And it paid off. What did he do in the campaign?

Brown: He made speeches for me. He just went around and made speeches. He was a very popular Republican, too.

Fry: Tell me more about what you and Earl Warren did in this campaign.

Brown: Earl, Sr. didn't do anything except we went shooting together. He would permit himself to be seen with me. The Sacramento Bee would always come up and take a picture of Earl Warren and Pat Brown. He studiously and beyond peradventure of a doubt, after he became Chief Justice, stayed out of politics. Never by any word did I ever ask him to come out for me, nor did he ever suggest it. But the fact that Earl Warren, Jr. was in the campaign was some indication that Earl Warren didn't like Nixon, and people knew it. He always felt that Nixon double-crossed him in 1952 when they were both members of the delegation. He went back there and Nixon came out for Eisenhower, if you'll remember; left the train, and just became a vice-presidential candidate.

Fry: I'm sure that he was very eager for you to really remove Nixon from the political scene.

Brown: He never trusted Nixon. He didn't like Nixon, and I was the beneficiary of that.

Fry: Since you were really close friends--?

Brown: We used to go hunting together.

Fry: Weren't you on the phone together during this campaign or anything like that?

Brown: I don't think so. I never violated his commitment to nonpartisanship. He never came out. There was one occasion when we were shooting in 1960, when we were shooting up at Wally Lynn's ranch up in Colusa County, when I said to him, "Confidentially, Governor"--I used to call him governor--"who would you be for if you were a Democrat for president this year?"

Brown: He said [whispers], "Adlai Stevenson." But I didn't take his advice. I came out for Kennedy. I liked Kennedy. Stevenson in '60, as I said before, I felt that he vacillated too long. I like Adlai and respected him very, very much.

Fry: One more thing on Earl Warren, he did come out and he dedicated the new courthouse in Oakland. He made a rousing speech on behalf of your excellent record of lowering crime and law enforcement in California.

Brown: Oh, did he do that? Was I there? I don't think I was there.

Fry: You weren't there, but this was right at a time when Nixon had been charging you with having the worst crime record of any state or something like that, and here the Chief Justice was saying that it was the best court system!

Brown: He would do that. Warren would never say anything, but sometimes he'd give you a little look [as if to say], "Don't worry, I'll help you. I won't say anything." The guy that he hated more than anybody else was Nixon. When he hated people, he hated them. I was a real beneficiary, because he hated Ed Shattuck too.

He made Ed Shattuck the chairman when he was governor, and then Shattuck wanted something from him and he didn't give it to him. Shattuck then wrote letters blasting Warren, the letters were released, and Warren never got over that. So I was a very lucky guy. I think I've been lucky politically anyway, because I never would have been elected attorney general if Fred Howser hadn't been such a bum.

Fry: You two visited each other, I'm told, off and on in Washington when you'd go back.

Brown: Oh, yes, every time I'd go to Washington I'd drop in and see him.

Fry: What was his response when you took Nixon out, after the campaign was over?

Brown: I met him one time, and I can tell you he was very happy. I can't remember what he said at this time, but I know that we met after that. I think as I walked into the Supreme Court chambers, I think he just chuckled out loud. He laughed and laughed and laughed. The joy of defeating Nixon was very close to his heart. He was really very impressed. He later was very, very happy with Kennedy, too. He liked Jack Kennedy very, very much afterwards. I can't remember what he said, but I remember one day we had a discussion about the fact that he was for Stevenson and he said, "I don't think you made a mistake."

Warren and I in 1967 with Ben Swig and a man named John Horn, who was the federal home loan board president and Father Donahue and--

Fry: The federal what?

Brown: Home loan bank board, which was the controlling agency for savings and loans throughout the United States. We made a trip in the Mediterranean. Ben Swig chartered a boat and we all paid our share of it and we made this trip. I had a great chance to get in touch with Warren. At that time, Warren and I had kind of a little fight one day on civil rights. I thought he was too liberal, believe it or not, in law enforcement. I had been through the criminal trials and I felt that some of the safeguards, some of the decisions that he rendered with respect to advising the defendant--

Fry: Are you talking about the Miranda decision?

Brown: The Miranda decision and some of the others. I was not too sympathetic with those. I was still a prosecutor. I think I was a good civil rights man in discrimination and things like that.

Fry: Civil liberties?

Civil Liberties

Brown: In civil liberties. I always felt the court went too far in protecting the criminal, in the sense that--it's an adversary proceeding and my experience as district attorney and attorney general, the police were rough and tough in California; they didn't beat the prisoners, but they beat them mentally by persistent questioning and things like that, without a counsel. But I had one case--

Fry: Were you for that?

Brown: I was for it, yes, and I think I still am, as a matter of fact; not for the questioning. I think there should be some restriction on it. Let me give you an example of the dilemma that you find yourself in. There was a man named Panattoni, who was the son of a rather well-known produce dealer in San Francisco, an Italian. Panattoni called the police one morning and he said, "My wife is missing and the house is all disheveled."

So the police went out there and looked over the place and the place was all broken up. He said, "Somebody must have come home and beat my wife. I got home at two or three o'clock in the morning." So they brought him down to the district attorney's office, and by reason of the fact that I knew the girl that had disappeared--she was Paul Dana's daughter (Paul was an attorney in San Francisco that I knew and liked very much)--I got into it personally. Ordinarily I wouldn't get into a homicide unless it was like the Mansfield case or something else.

Brown: So we brought the man into my office. I can't remember whether it was there or at the homicide squad in the old Hall of Justice in San Francisco. We were talking to him and we felt he was lying. We felt there was something about the way he answered the questions and we felt he was lying. After we had been talking to him about an hour or half or two hours there was a knock on the door and it was Leo Friedman. He said, "I'm representing the defendant, Mr. Panattoni."

We said, "Who retained you? We've been talking to him. He couldn't have talked to you." He said, "His father." We said, "We're sorry, we're not through with him yet."

So we didn't even tell him there was a lawyer outside. We just continued the questioning. About an hour later he admitted that he had gotten into a fight with his wife. We couldn't find out what he hit her with and he wouldn't tell us, but he told us where the body was. He had taken the little girl up the side of Mount Tamalpais and buried her. Now, if we had let Friedman in there, Friedman would not have permitted him to talk and that body might still be on the side of Mount Tamalpais. This is the dilemma you're in. You weigh on one side the civil rights of the defendant, the right to have counsel at all stages of the proceedings, and unquestionably the Constitution provides for it. If this man asked for counsel we would have had to give it to him. He just said, "I won't talk." But we kind of hoped that he wouldn't ask for that. What time is it?

Fry: I have 4:00.

Brown: I want to make a telephone call. [tape interruption: Brown makes the call]

U.S. Senate Race: Kuchel, Richards, and Cranston

Fry: Still on Republicans, Kuchel was running for re-election and that's another person that you got along well with.

Brown: Was Kuchel running in '62?

Fry: Yes, he was running against Richard Richards. I wondered what your stand was there. Did you really prefer Kuchel?

Brown: I liked Richard Richards very, very much but I didn't think he could beat Tommy Kuchel, number one. Number two, Kuchel and I had gotten along very well as governor and it was a personal friendship there. I thought he was a good Senator and I thought he was effective. I didn't think Richard Richards could beat him.

Brown: Richard Richards was a state senator from Los Angeles County, and I really had some difficulty with Dick on things like the water program and other things that I really had to shove down his throat to get him to vote. So I would say that I was for Richards, but lukewarm. As a matter of fact, in one speech I ended up and I said, "And also give me Senator Tommy Kuchel." I made a mistake.

Fry: Oh, and you meant to say Richards!

Brown: A Freudian slip if I ever made one! Jeez, I damn near died.

Fry: You didn't do anything overtly to help Kuchel during the campaign?

Brown: No, no, I didn't do that. I'd see him from time to time and we'd try to smile at one another; but I didn't do anything to hurt him either. I never attacked him. I was affirmatively for Richards but never made any--I'd say, "Give me Dick Richards." (We'd be on the same platform.) "I want the whole Democratic ticket."

But I must confess that my friendship with Kuchel slowed me down in my support of Richard Richards whom I knew and liked and had grown to know and like better over the years, although I haven't seen him for a long time.

Fry: This was when Cranston ran for controller.

Brown: He was running for re-election as controller.

Fry: So there wasn't much trouble there.

Comparison with Nixon

Fry: After the primary was over, did you feel like you probably had a pretty good chance to win in November?

Brown: I knew it was going to be a fight, although I had done well, I think, in the primary. Although the welfare guy, George McLain had caused me some trouble and he hurt me with the elderly because he claimed I hadn't done enough for them. He got a pretty good vote as I remember.*

Fry: McLain ran against you in the 1960 primary.

*646,387 in the 1960 Democratic presidential primary; McLain was not on the 1962 ballot.

Brown: Oh, was it? He did pretty good in that. Of course, 1962 was my weak year in the primaries. The Chessman thing, as I say, had really hurt me.

Fry: What do you think was the thing to be most afraid of in Nixon's campaign?

Brown: I was afraid of capital punishment. I was afraid of the crime rate which has constantly gone up in California no matter who's governor, no matter who's the attorney general. I was proud of my record on fiscal matters and things like that. I had no apology for it at all! One tax raise after inheriting a deficit in a growing state.

I was just afraid I didn't know what Nixon would do. I had no idea. He had never lost a campaign in California. He had won every time out. He was supported by money, and he had some pretty ruthless guys with him, Chotiner and Haldeman. He was supported by the Chronicle, the Tribune, and the Times, which is quite a triumvirate. I was able to get the San Bernardino and the Riverside papers and the Los Angeles Examiner so I had [some]. But he had the San Diego papers with him all the way and Orange County was growing, so he had the press.

Of course, he was at that time, even though he'd lost to Kennedy, he was international figure, you must remember. I was just afraid of his ability. I've always been known as kind of a bumbler. People have never really regarded me as a great brain or anything like that. I was afraid that they'd just diminish what I thought to be my own greatness. I had great confidence in what I had done and my ability to make the right decisions because the eight years as attorney general under two governors, even if you're stupid, by the process of osmosis you assimilate a great deal of this stuff into your brain.

I did know California backwards and forwards and I was compassionate and concerned with the minorities and the people that needed the help of government. But I was never quite sure of my ability to project it, like with Carter. I think the great trouble with Carter has been his inability to sell his product. You don't know whether he's right or wrong, unless you assemble all of the facts. I don't understand his energy program and I've been to briefings on it. But when he talks, when he makes a speech, he'll say, "This is the most severe." Instead of saying "the most severe crisis we that we face," he'll have a pause between "severe" and "crisis" when the pause should be at crisis, "it's the most severe crisis." He'll say, "This is the most severe--crisis."

The way he talks is terrible. God, when I listen to him at his press conference [or] when he makes a speech, I just die and I felt that way during the [1976] campaign. I felt that eventually he'd lose. Ford wasn't any great shakes himself, but neither one of them were strong people.

Brown: But I don't know who the hell is strong in politics or government today. Who is? There's no one that you really say to yourself, "This is the man on the white horse. This is the man we need."

Fry: No, not like a J.F.K.

Brown: Not like a J.F.K. or even a Dwight Eisenhower or a Franklin D. Roosevelt. But history records that they were not too heavy. I think Roosevelt was great, but you take Harry Truman. History is recording Harry Truman as a truly great president. He made good decisions. He was an earthy guy, but he had the same difficulty that I felt I had. He was not a university man and he had not gone to college.

Fry: People always made fun of him.

Brown: They always made fun of him. God, he got down to the lowest percentage in popularity that the president ever had. But he was loyal and his instincts were good and he was a good president.

Unruh and Cranston and the CDC

Fry: My other question has to do with the south: There was an Unruh-CDC feud going on here in Los Angeles and I wondered what you knew about that.

Brown: That hurt. The CDC didn't like Unruh. They regarded him as the Big Daddy and the typical politician, so he was fighting with the CDC which was not helping him. He came up with some other organization and he got a bill passed that made the CDC put in all their television announcements some disclaimer that they're not an official party. To put that on a television program or to say it took away from the time that you would use for the message. I signed the damn bill. I can't remember why. He blackjacked me into it. I asked him not to send the bill to me, but they did and I had to. The legislature was for it. I don't remember why I signed it. There was something that I had to trade off. I signed the bill because he did something for me. I didn't think it would hurt the CDC particularly anyway.

Fry: Would a bill like that become law if you didn't sign it?

Brown: No, I could have vetoed it.

Fry: I know but you could have let it become a law without your signature.

Brown: Well, whatever it was, it became a law. I didn't veto it. There are two ways you can do it. You can either firmly veto with a veto message, "I send this back; I will not support it," or you

Brown: can leave it unsigned and it will become law. Number three, you have a pocket veto by not acting on it within X number of days, and I can't remember what that is now.

Fry: When you decide not to veto a bill that goes against some of your best supporters like the CDC. I thought maybe that would be a less embarrassing way to do it.

Brown: I needed the legislature more than I needed the CDC. I was more interested in programs, really, than I was in getting elected and the legislature were the ones that held it and it was a bitter fight. Unruh and Cranston were not getting along. They didn't like each other at all.

Fry: Also succeeded in getting one of his men into Congress from the south that year and he ran against the CDC sponsored candidate.

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Brown: Unruh is a very tough fighter. Some people thought he was just an oldtime, fat politician. But Unruh was a very clever legislator and he was well-liked by his colleagues, many of whom, like the assemblyman from Contra Costa County (he ran for governor against Jerry four years ago, Jerry Waldie); Dick Hanna; and those people; they all liked Jess. Nick Petris never liked him very much, but Bob Crown--there were a great many people that liked me very much, but they liked Jess more because Jess could do more for them on committees and things like that. Jess raised a lot of money and put it into their campaigns.

I needed the legislature to protect my program and to do the things that I wanted to do. So Cranston, who was controller, couldn't do anything for me, particularly, although I always liked Alan very much. I liked him better than I liked Jess. He and I have remained friends over all these years.

Fry: Was the existence of the CDC the problem between Cranston and Unruh?

Brown: I think that was it. I think they were both ambitious to possibly run for governor when I ran out of steam or retired or to run for the United States Senator if the opportunity existed, and they were rivals, Cranston and Unruh. Unruh was Speaker. Cranston got a hell of a big vote in the '60 campaign. I can't remember who ran against him but whoever it was he got a big vote. As a matter of fact, in 1964 (which we haven't come to yet but we might as well reach it because I might forget about it) when Clair Engle died, I supported Cranston and Unruh supported Pierre Salinger.

Fry: Yes, I want to talk about that.

Brown: We can talk about that later on.

Relations with the White House

Fry: In this case, in '62, some of the things that I read seemed to imply that Unruh was getting in really good with the White House at this time, maybe ahead of you.

Brown: Oh, he was. During the campaign against Nixon in '60, Unruh really took the lead away from me from an organization standpoint. He was with the White House people and they liked him because he was more their type. The Kennedys were really killers. The group, the Irish Mafia, from Massachusetts that was in the White House, there was great sympatico between them. They always regarded me as somewhat of a foreigner because I didn't come out for Kennedy before the primaries the way some of them thought I should, and Unruh did. They were closer to him and then he cultivated that friendship after Kennedy was in the White House. They brought him back there and took him to football games and things like that.

Kennedy was always very nice to me. There was never a time that I went to Washington that I didn't go into the White House and see him, although he never invited me to stay at the White House like Johnson did later on. But we went to the ball game together. We have a picture in there where we were both eating hot dogs at the opening of the ball game in Washington. Jack and I got along very well. You see that picture of me over there where I spilled the coffee?

Fry: Yes, that's marvelous.

Brown: He'd laugh every time I came in. But there was never a closeness between Kennedy and myself. I can't describe it to you. Although after Kennedy was shot, his wife had Bobby pick me up at the Madison Hotel and take me over to her apartment where she had gone after she left the White House and we sat there for a half hour or forty-five minutes, talking to Jackie. She asked for me particularly and I never knew why. But Bobby said she wanted to see me, and he was still attorney general then. I can remember him picking me up at the hotel or I [went] over there and he drove me out.

Fry: Did Dutton help or hinder your relations because he was in the White House at this time?

Brown: The fact is that I was for Kennedy before either Jess or Fred Dutton. Fred Dutton was really for Symington. He came back after making a survey and said he was for Symington. I had made this commitment that I told you about last time to Kennedy and Kennedy knew it. I thought I had to play a game of nonpartisanship in my favorite-son role as the candidate for president. I thought I had to keep my options open. My appeal to the people was, "Send us an uninstructed delegation back

Brown: there to make the choice. None of them have emerged as a strong candidate. We don't want to be in the pocket of any one of the candidates."

If I had taken a position for Kennedy, then half of the delegation would have come out for whoever they were for. I thought it would project a broken delegation or a divided delegation, a disorganized delegation. I thought by the time of the convention that the situation would have generated and would have gotten so strong that Kennedy, with my leadership in California, would have won. But as it developed, Adlai Stevenson got into it and the people that loved Adlai, and then the anti-Catholics moved in, so that I couldn't even get the Humphrey people. The Johnson people--of course, the Johnson people stayed tight. But the Humphrey people on the delegation all went to Adlai Stevenson instead of to Jack Kennedy.

A great deal of that was due to the fact that people didn't think that a Catholic could be elected president. There were some members of the Masonic Order there that were definitely anti-Catholic. They told me so, that they wouldn't vote for a Catholic to save their souls. But a great many of them just politically felt that he couldn't be elected. But the mainstay--the Bill Malones, the Roger Kents, the organizational Democrats who had grown up in the Democratic party--they were all for Kennedy. They thought he had the best chance to win and that had gone back to the '58 convention when he was a candidate for vice president. They were all for him then, and I'm sure that my Catholicity played a part in my support of Kennedy too. I wanted to break that tradition of never electing a Catholic president.

Fry: So that by the time '62 came around, what were your relations like with Kennedy?

Brown: They were very good. They were not intimate, but excellent. I had great rapport with him. He wanted me to beat Nixon very badly so he did a lot of things to help me, through his forces in California. He really pulled Unruh into the picture.

Fry: I think Bill Green and Chuck Roach were both Kennedy people?

Brown: Bill Green, yes, he was the congressman from Philadelphia, Pennsylvania. But I don't remember Roach very well. I don't remember them coming out here, but they could have. But he said he did everything he could without coming out himself. I think he got people to put money in my campaign and things like that. I never had any feeling at any time that Kennedy was not all for me in '62. But as I repeat several times, I didn't give a damn about Kennedy coming here. I felt I had to win it on my own.

Other Constitutional Office Campaigns

- Fry: The other aspect of the campaign was Max Rafferty. He got into this campaign running for superintendent of public instruction.
- Brown: Oh, yes. He beat Ralph Richardson, who was not a good candidate. In the debates--
- Fry: There was a very large primary there because Roy Simpson, the incumbent, had retired. Somewhere I read (I think this was in someone's column in a newspaper) that you had wanted Roy Simpson to retire.* There was a rumor that you wanted to replace him with Hugo Fisher before the campaign.
- Brown: That may have been true. I don't remember it. I couldn't say. I really don't think that's true enough. I can remember talking to him in the governor's office and telling him that I thought it was important that we have a good superintendent of public instruction and that I was afraid of Rafferty and I said, "Now, you tell me who you'd like to have as superintendent of public instruction. I won't make a commitment to you, but maybe we can get together."
- He didn't do it. I think he stayed on and it was a wide-open fight.
- Fry: But he refused to retire?
- Brown: Right.
- Fry: It was a wide-open fight and, of course, again Rafferty was extreme right-wing.
- Brown: He was very articulate. I don't think people knew he was so right-wing until he got in there, but he was a good speaker and he really got them going. He got a lot of votes. Ralph Richardson in the debates was a softy, and Rafferty really trounced him in the debates that they had.
- Fry: Yes, Rafferty was a great debater, wasn't he? Again, Anderson, your lieutenant governor, was the one that had the toughest race, I read, in the primary.

*See Roy E. Simpson, California State Department of Education, 1945-1962. Regional Oral History Office, Berkeley, 1978.

Brown: Who ran against him?

Fry: He ran against George Christopher in the final.

Brown: That's the one; that's right. Oh, he ran against Bill McKesson in the primary, who's the district attorney of Los Angeles. I liked Glenn Anderson, but I thought he was a colorless fellow and I didn't think he could ever be elected governor. Who was the Nixon candidate for lieutenant governor the first time? I don't remember.

Fry: Do you mean in '58? Do you mean the first time he ran?

Brown: I guess it was Butch Powers who was defeated. That's right. I don't know who was lieutenant governor with Nixon in '62. I always liked Glenn but--

Fry: It was George Christopher.

Brown: Christopher ran for lieutenant governor. But a lieutenant governor and a governor never are very close. It's a very funny thing that he has his offices away from you. You begin to rely on your own staff. He's an independent constitutional officer. He's not dependent upon you for his job, and the governor wants, in the last analysis, the people who support [him].

Glenn in 1960 supported Adlai Stevenson. I think he nominated him; he was one of the seconders of Adlai Stevenson in 1960, which was a repudiation of me. I tried to get him to come out for Kennedy and he wouldn't do it. I think Glenn was always a little bit anti-Catholic. I may be wrong about it. I may be doing him an injustice. But that drove me crazy to think that my lieutenant governor was fighting me because if I got licked, any repudiation of a governor's leadership is hurtful to him. That's like when I lost the campaign in '64 for Alan Cranston whom I supported, it damaged me; it injured me. It opened the door for Reagan to win two years later.

Anderson's speech was one that was popular because the mob at the convention in Los Angeles were most of the liberals. They were all for Adlai Stevenson. Although Paul Ziffren, as I remember it, was for Kennedy. But I can't remember who got all the tickets. Somebody got all those tickets and packed it with Adlai Stevenson people, and they were angry with me because I was for Kennedy.

The Irish Catholics in southern California have done well. The Irish Catholics are people of some means here. They've become rich and they've become Republicans. So you depended upon the Jewish vote and the black vote and the Chicano vote and the extreme liberals who have special causes. So Kennedy was not the candidate of California, as you can see. He was not the popular guy until after he became

Brown: president. When he became president, the way he handled himself and the confidence he gave, his jocular way, his ability to answer questions--he was really, really great; no question about it.

Fry: When you were thinking about resigning then did the fact that Glenn Anderson would become governor give you pause?

Brown: That probably played a part in it. I probably thought I was turning the state over to the Republicans. Now that you recall it I think that that probably played a great part in it. If I'd had a lieutenant governor that I thought could have carried on and could have been re-elected--I think Glenn would have been a good governor although he was rather indecisive, in my opinion. He's become more decisive as a congressman. I think that played a part in my failure to resign, although I don't think I would have resigned if I had Dwight Eisenhower as my lieutenant governor and he was a Democrat. I mean after I survived the harsh reality of the convention and the boos of the multitude.

Election Day and After

Fry: This brings us down to the very last night, then, of this campaign, when Nixon made a very long speech. It was kind of a laundry list of all of his complaints about the way the campaign had gone. Then, of course, the next day was his famous speech on retiring from politics and "you won't have Dick Nixon to kick around any more." What did you do on the night before election day?

Brown: Election day Bernice and I usually played golf in San Francisco, and then we'd fly down to Los Angeles where there were more people and where most of the good television stations were and I addressed the crowd down there. I think I received the vote at home and went down there (Nixon was at the Beverly Hilton Hotel. I can't remember where our headquarters were. I think it was the Palladium on Sunset Boulevard)--but with great joy. Then the next day--Nixon didn't concede defeat until the next day and then he came down drunk and made this statement. He explains that in his book. I happened to be looking at the book. I haven't read the book yet. I haven't gotten to it. God, I can't keep up with all of the books I'm trying to read.

Fry: Just Jerry's books alone! [laughs]

Brown: I haven't read those. But I really felt sorry for Nixon when he made that statement because I thought it was a very stupid thing to say. But to this day I have to hand it to Nixon that even after the two defeats by Kennedy and by me and the disastrous statements that

Brown: he made, that he was able six short years later in '68 to come back and be elected president and then be re-elected four years later by one of the biggest majorities in the history of this country. So it just shows you how wrong the people of the United States can be.

Fry: Did you really think that he wouldn't ever come back on the political scene?

Brown: I thought he was as dead as Kelsey's nuts, when he made that statement. I thought, how stupid can you be because you still have a good background as vice president, senator, congressman, and all that, and defeated Kennedy in California. I thought there were great opportunities to run for senator or something else.

Fry: We can end this interview right here with this campaign.

Brown: Okay, that might be a good idea because I want to lie down for a while. I wake up at 5:00 in the morning, as I think I told you.

XV WORKING WITH THE LEGISLATURE

[Date of Interview: March 23, 1979]

Governor's Staff and Advisors

Brown: I talked to Paul Mason before I took over to get the operation of the office. He was very, very helpful to me.*

Rowland: What advice did he give?

Brown: Well, I can't remember. I just remember talking with him. But in my staff, the people who were closest to me in the campaign were Fred Dutton and--I can't remember who was my press secretary during the campaign, but I brought Fred Dutton up as my executive secretary. After we were elected we went over to Palm Springs, a group of people who were very close to me in the campaign, and we started looking for staff members. Of course, the key one is your executive secretary and that was Dutton, so I put Dutton in charge of that.

Rowland: Did you use many of your campaign people for your governor's office staff or were campaign people different from the staff?

Brown: No, if people were with you in a political campaign you get very, very close to them and intimacy is created from the pluses and minuses and the hardships you go through in a campaign, so there was a very close feeling toward them. Of course, they give a year of their life to get you elected so you have a strong feeling--or

*Paul Mason had been Governor Knight's legislative and executive secretary. See interview with Paul Mason in The Governor's Office Under Goodwin Knight, Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1979.

Brown: I had a strong feeling that I should reward them if they had the ability. I can't remember who was active in my campaign for governor, as I'm talking to you now, on the '58 campaign. I can't think of those damn things.

Hale Champion: From Campaign Critic to Press Secretary

Brown: I'll never forget the press secretary was Hale Champion who is now the [U.S.] Undersecretary of Health, Education, and Welfare. Of course, I had met Champion during the campaign and he wrote a rather disparaging article about me in a magazine called The Reporter. I read that article and it was well written, so I brought him up and I made him my press secretary.

Jack Burby covered the city hall for the [S.F.] Chronicle and I brought Jack up as press secretary. I can't remember where I got Lou Haas.*

Rowland: Did the Chronicle support you in the '58 campaign?

Brown: Against Knowland? No, they supported Knowland. But Knowland made some outrageous statements about communism or something and they shifted, as I remember it, in the middle of the campaign and didn't support anybody. Then I brought a man named Ralph Richardson up as my staff man on education. I tried to get some specialists in.

Rowland: Was he covering public and higher education?

Brown: He was a teacher at the University of California at Los Angeles and he had been active--I think he had run for--no, that was later: he ran for the state board of education in 1962. But he was my education man.

The other key man is your director of finance and Bert Levit was a practicing lawyer in San Francisco who, when I was elected district attorney of San Francisco, I brought him in. He was a Republican and he'd helped me in my campaign for district attorney, and I always admired him for his precise mind, his ability to get things organized. He had a very organized mind. He put things together very methodically. So he had helped me as district attorney and reorganized the office and did a magnificent job. He talked to Earl Warren and talked to the Alameda County District Attorney's office. So I put that into effect in San Francisco.

*Lucien Haas was associate press secretary.

Brown: Then when I was attorney general, I brought him in again and made him my chief deputy and got him to reorganize the attorney general's office. So he was with me as chief deputy six or seven months and then he went back to his private practice.

Then when I was governor I made him director of finance and he closeted himself--I'll never forget this--with the members of the Department of Finance right after I was elected and spent about four or five weeks, and he wouldn't even tell me what he was doing.

He said, "You work on other things. Let me work on this budget. If you get bogged down in this you won't do anything else." So I let him do it and from time to time he'd give me a report on what was going on. So that was my director of finance.

So your two key men are your executive secretary and your director of finance. So those are the ways I selected those two. Then I had a lawyer by the name of Warren Christopher--

Rowland: Was this again on Paul Mason's advice?

Brown: No, it was not on Paul Mason's advice. He was my own choice. I had administered one of the largest law offices in the United States, the attorney general's office. I can't remember how many lawyers we had, but we had probably one hundred or one hundred fifty. I knew what I wanted to do. As attorney general for eight years you represent the governor and the legislature and all the state boards and the departments. I knew a great deal about state government--far more than the average person. I knew what I wanted to do.

Warren Christopher had been one of my speech writers in the campaign. He also, when I was attorney general, had advised us on certain important cases. He helped me in an oral argument I made to the U.S. Supreme Court on the tidelands oil case. I had tremendous respect for his ability. So I appointed him my lawyer. He was the lawyer in the governor's office but it was understood he would stay only three or four months. He took over some of the big issues like air pollution--what should we do about smog. Three months later he came in with recommendations and we had for the first time a standard for air quality. So we had Richardson and Dutton and Christopher and Levit and Champion. It was a fine team.

Rowland: And Burby?

Brown: And Burby.

Then I wanted a black man in the office. I was going to appoint a man from Los Angeles by the name of Loren Miller. I later put him on the bench. He was a practicing lawyer and a civil rights lawyer.

Brown: But when I got into his record (we had the FBI [Federal Bureau of Investigation] and the State Department of Justice give us a record), we found out that he had been a member of the Communist party in '31 and '32. He was an outstanding, fine human being. I told him I thought that that would embarrass me in my new administration, to have a former member of the Communist party as a member of my staff. So he very graciously withdrew. Then I brought Cecil Poole up to Sacramento. Cecil was one of my deputies in the district attorney's office and one of the best lawyers and one of the best human beings I've ever met. I made him my pardon and extradition secretary. I might say he did a great job.

I brought Julian Beck up and made Julian my legislative secretary.

Rowland: What were the duties of the legislative secretary?

Brown: Well, the legislative secretary, it's his job to work with the legislature and to carry your programs, carry your legislation.

The job of the pardon secretary is obvious. You have tremendous criminal law problems. The press secretary and executive secretary are obvious, also.

Then I brought Charlie Johnson down. He had been the deputy legislative counsel and he had been against me as attorney general in several cases and he had been successful. He had defeated the attorney general's office. I can't remember what he did.* He was one of my deputies too, but I can't remember what his function was.

But we inaugurated a system which was unusual and it lasted for four years. We had a nine-or ten-point program. To supplement that program, we'd have proposals introduced at the request of the governor, which was very unusual. They later cut that out after four years. I think during my second session Unruh refused to have any of the bills put in or introduced at the request of the governor.

But I had a real legislative program that I had announced during the campaign. We had an eight-point program. That eight-point program I had framed and put it on my wall and I just checked off the things that I wanted to do; I can remember some of them. One was the Fair Employment Practices Commission which was one of the first bills that I got through. Then we had the state water program

*Charles Johnson was departmental secretary for Governor Brown's first term.

Brown: that I worked like a Trojan to get through. I brought a man named Ralph Brody up as my adviser on water and I brought Bill Warne out as my fish and game man. He had been in the [U.S.] Department of Interior, in the Bureau of Reclamation, so he knew water law. He knew it backwards.

Then Abbott Goldberg had been my chief counsel on water litigation during that period I was governor, so I made him the chief counsel of the Department of Water Resources. So I had a pretty good team in the water program. I kept Harvey Banks who had been Knight's director of Water Resources. My theory in keeping him was that I didn't want water to become a partisan issue. I wanted it to be a nonpartisan issue. So I kept him in as director of Water Resources. I can't remember who else I had in the office. I can picture the office and where the people were. I can't remember who I made my appointment secretary, the first appointment secretary, whose job was to check all of the applicants for state appointments.

Rowland: Was it May Layne Bonnell?

Brown: That was later on. I think she became my appointment secretary during my second term. She was my sister-in-law and I needed someone who was very close and very loyal and she was very close and very loyal. But if I had a list of my first people I could tell you why I appointed every one of them.

Rowland: Getting back to the staff. Paul Mason said that Governor Knight frequently really had his own decision made before he talked to the staff. He merely used staff to clarify ideas and mainly they didn't really have much effect on the governor's decision-making. How did that work with your staff?

Brown: My staff were very helpful to me, although I didn't always follow their advice. For example, Fred Dutton, on whom I leaned tremendously. Fred was against the water program. He wanted to put the money into education rather than into water. I can remember him making a statement to me, "You're going to drown those kids of California in the water program." He meant by that that we'd spend all the money on water and wouldn't put any money into education. But I said, "No, we'll do both, " and I think we had a pretty good educational budget the first year.

Reading that newsclipping you gave me, I noticed that we recommended the abolition of the extension division at the university. I can't remember doing that or why I did it or who recommended it. I can't remember that at all.

Rowland: You don't recall your cut of the university budget in your first term?

Brown: No, I do not. Did I cut it?

Rowland: Yes. I don't think it was by very much, but it was restored after consultation with Bert Levit and yourself. Who was your adviser on higher education?

Brown: I would say that Ralph Richardson was the one that advised me. I think it was Ralph Richardson. When we sat in meetings and discussed where our priorities would be, I'll never forget that Richardson was completely impractical about the amount of money that we should put into the university budget as compared to the state colleges and community colleges.

He was a university man but he wanted to go so far, and I can never forget walking out and thinking to myself, some of these academic people are not too smart and not too politic. They have no concept of the overall needs of the people of this state or of the political reality. That was my reaction to it, and I think I later got rid of him because I was disillusioned.

You see, I didn't go to a university myself. I went directly from high school into law school, so I had a tremendous respect for the university and I was somewhat in awe of the academic world. He kind of tempered that by his, what I felt to be, a lack of judgment in the overall picture.

Rowland: Who else on your staff was advising you?

Brown: Gee, I'd have to get my first roster of governor's officials.

Rowland: Did Christopher become your adviser, too, on education?

Brown: Well, they all helped. We had people assigned to particular topics to study the budget, to discuss it with the superintendent of public instruction and the legislature and the Speaker, and to work with the legislature and all that sort of thing. But we would meet frequently. We had staff meetings almost every day and we'd go into the things. I tried to pick good people and people in whom I relied, and they played a tremendous part in what I did. I knew water better than anybody else in the office because I had been the attorney general and I worked on it. I knew it had to be done.

But we had the master plan of higher education, for example. I can't remember who recommended that to me, but it came in and I can remember trying to put it together. I can remember Clark Kerr coming up. He wanted to make it a constitutional amendment so that there could never be any merger of the state colleges and the university.

Brown: We came up with the master plan where twelve and one half percent of all eligible applicants went to the university and the next third to the state colleges and the rest to the community colleges.

They convinced me, of course, that we shouldn't give doctorates in the state college system. I think we thought of that for a little while and I think I may have favored it at first, but as time went on I retreated from that.

Legislative Leaders

Rowland: Getting back to the legislature, I have a set of questions on your relations with the legislature. Again, they are just general questions that will lead to further questions on other topics. Who did you rely on most to carry your administration bills in the senate and assembly?

Brown: In the assembly I relied upon Bill [William] Munnell who was, I think, the Democratic floor leader and, of course, Ralph Brown who was the Speaker. Ralph and I got along very, very well. Then we had Jesse Unruh who was chairman of the Ways and Means Committee and they advised me that the governor always had the right to name the chairman of the Ways and Means Committee because he had to handle the budget. I wasn't sure I wanted Jesse. I wanted somebody else, but they came on strong for him so I made him chairman of the Ways and Means.

And then later on--we're not too chronological in this thing--later on, Jesse worked so well with me on the budget and there was great cooperation: Ralph Brown wanted to go on the appellate court and I put him on the appellate court which opened up the door to Jesse. I put Ralph Brown on in order to reward Jesse for--

Rowland: So you encouraged and supported Jesse for Assembly Speaker.

Brown: Yes, that's right. And Vince Thomas was one of my old friends. He was kind of my adviser when I was attorney general in the fight against the Republican majority and the Republican governor.

I was running a foundation two years before I ran for governor to run for--I planned to run for governor. Vince did everything he could to embarrass Governor Knight and the Republican administration, so that if Knight ran for a third term we could beat him.

Rowland: Now, in the senate?

Brown: In the senate I relied upon Hugh Burns who was the president pro tem. He was more conservative than I was, but I relied upon him. You'll have to let me see the--

Rowland: Joe Rattigan?

Brown: Was Joe up there then?

Rowland: Yes.

Brown: Joe was very, very helpful, but he was not one of the leaders. He was a freshman senator and there was a gang of those old fellows who had been up there a long, long time--

Rowland: Randy Collier?

Brown: Well, Randy I never relied on. Randy was always playing games, and I never knew who's side he was on.

Rowland: Yes, tell us something about that relationship with Collier and Burns. That seemed to be an interesting one because didn't Collier and Lewis Sutton change their votes to the Democratic party to elect Hugh Burns as pro tem?

Brown: Yes, they did. That was before I was governor though. That was done in '57 or '58.

Rowland: Yes, but there have been rumors and press reports about Burns being obligated to Collier.

Brown: They were very, very close. As a matter of fact, on a great many situations, both of them would make commitments in support of a particular bill that I wanted. I'd bring them down to the governor's office and talk to them about it and they'd tell me that they'd support it and when they'd get up there [to the senate committee], either one of them would leave so there wouldn't be a quorum--so the bill couldn't go through. They were playing games with me.

But I always got along well with Hugh even though he opposed me philosophically. He was really a very conservative state senator and a rural state senator. He was always very courteous and always regarded the governor's office as rather a sacred place. If I called and said, "Hugh, will you come down," he'd drop everything he was doing and come down and see me. Later on, I'd call Unruh and he'd maybe come down the next day or not come at all, which used to annoy me very, very much. Ralph Brown would always come down and there were a group of young Democratic liberals who came. We worked very closely together on civil rights bills and anti-discrimination bills and things like that.

Rowland: [tape interruption] How often did you meet with senate leaders?

Brown: Oh, I met them almost every day. During the legislative session it was a daily occurrence depending upon what bill it was. If it was an agricultural bill, you'd meet with the chairman of the committee on agriculture. I might say that in connection with my program, I got everything through that I wanted with the exception of the farm labor bill. That was the only one I failed on. We had to make some amendments on some, but in my eight-point or nine-point program, everything I promised the people of the state I'd do--consumer counsel, economic development agency, fair employment practices, water, a balanced budget--all of those things we accomplished.

Rowland: Except the farm workers bill.

Brown: It was a farm labor relations bill.

Rowland: Was this that master plan for migrant labor that you talked about during the bracero incident with Willard Wirtz in '64?

Brown: Well, it could have been that, but I think the bracero program was later. It later became an issue. I don't think that was an issue at the time in relation to a board of arbitration where they could have some representation. I felt they were the people that were the least protected and the poorest paid and they had no benefits, unemployment insurance or anything else. So for that reason, it was one that I worked on. But the farmers marched on Sacramento and we had a rural senate at that time, of course.

Rowland: Did you have a closer relationship with the senate than with the assembly?

Brown: Was Gene McAteer in there the first year, do you remember, when I was elected? I think he was.*

Well, Gene was my campaign chairman for attorney general, and Gene and I were very close socially and personally. We differed philosophically. (I was more of a liberal than he was.) But I worked very closely with Gene. We were both from San Francisco. No, I would say I worked much more closely with the assembly committee. The assembly committee was more liberal and more philosophically akin to me.

Rowland: What about relations with Richard Richards, perhaps?

*McAteer was elected to the state senate in 1958.

Brown: Richard Richards was the sole representative of Los Angeles County. He was a good state senator and we were very friendly, but I had a little difficulty with Dick in some matters. He had been up here before and he was well informed. But I didn't think he was--he didn't pack too much weight with the legislature. They didn't particularly like him even though he represented Los Angeles County.

Rowland: Why?

Brown: I don't know. It was just his character. His personality was such that he wasn't one of the boys like Burns and Collier and two or three of the others.

Rowland: What about someone on the opposite pole, such as John McCarthy? How did you get along with him?

Brown: Personally, I got along fine with Jack but philosophically he was way out of line. I couldn't get along with him [on legislation] at all. He was just conservative as far as I was concerned.

The Burns Committee and the University of California

Rowland: What were your feelings about the Burns committee?

Brown: I thought it was a lot of hogwash between you and me and the lamppost. I was a prosecutor and I was attorney general and it's so easy to name names and tie them up with connections. I would read it [the committee reports] with utter disgust. I had contempt for the Burns Committee between you and me, but I didn't feel they could do any particular harm. Burns was carrying my water bill, so I didn't want to fight too much with him about it. But my own personal idea was one of repugnance.

It was the same way I felt about Joe McCarthy. I'll never forget going to the Commonwealth Club in 1951 or '52 or '53 or whenever McCarthyism was raging and everybody was standing up and cheering and I was sitting on my tail and wouldn't get up to applaud him.

Rowland: Did you feel there might have been abuses of power by the committee with Hugh as pro tem of the senate?

Brown: I thought there was. They had a man named Richard Combs who was from Tulare County.* I didn't think it was a very good committee because somebody was feeding them a lot of these names and Combs

*Combs was chief counsel for the California Senate Un-American Activities Committee (Burns Committee).

Brown: would put it in these reports. But the committee was a fearful thing and beyond peradventure, an impingement upon free speech and free ideas and free ideals. To charge these people with plotting to overthrow this government I thought was ridiculous.

There were some communists that I had met like Yates (I can't remember her first name) in Los Angeles. I kind of liked her personally. Then there were one or two in San Francisco; we got along very well. But I never feared communists at all.

As a matter of fact, during the Warren administration (so that must have been during the first three years of my attorney generalship) there was a big fight on the [University of California] campus on the loyalty oath. The regents insisted upon the faculty taking it and the faculty was almost evenly divided. Warren called me up and said, "There's a man named Hanson. I need his vote against loyalty oaths." John Francis Neylan attacked him because he was a judge and they said he couldn't be a judge and a regent at the same time. There was a constitutional prohibition against it. Warren asked me if I could write an opinion that he couldn't do both, which I did, and Neylan wrote one of the most vicious letters to me as attorney general for doing it and I made a lifelong friend out of Earl Warren--not as a result of that, but by trying to cooperate with the governor.

Rowland: What about the Burns Committee's investigations of the University of California? What were your feelings about that?

Brown: I thought it was terrible. I was always a real civil libertarian. As attorney general and as district attorney I think it grew as time went on. The magazines I read were the Nation and the New Republic and things like that, although I was not too obvious. I didn't fight these things with a fiery fight. I did it more by just keeping quiet because--I'll be very blunt--it was, I thought, maybe politically unwise to fight it too strongly. [pause] I was not intellectually for it in any way at all.

Rowland: You were, as governor, on the University of California Board of Regents. The committee's '65 report attacked Clark Kerr very viciously for being--it had gone back to his background and tried to tie it in with the Communist party and blamed him for the Free Speech Movement. In my research, information and references came up that there were moves to fire Clark Kerr on the board of regents in 1965, by a motion led by Ed Pauley. Do you recall that?

Brown: I remember it very well. I opposed it. I fought for Clark Kerr. And Ed Pauley was a great friend of mine, a personal friend of mine. I can remember going on a fishing trip with him and he never let up about getting rid of Clark Kerr. He was very persistent and stubborn.

Rowland: Why did he? What's the background to that?

Brown: Pauley was an anti-communist. He loved the University of California and he thought Kerr was a bad man. That was all there was to it. He thought he was a good administrator. He'd picked him up. He was one of those that selected Kerr. I think he was president of the board of regents for a time. But he just didn't like Clark Kerr.

Rowland: Was there a connection with Pauley and Hugh Burns and Richard E. Combs?

Brown: Not a conspiratorial thing. They were intellectually aligned, that was all. They worked together and Pauley probably contributed to Hugh Burns's campaign.

But I remember getting so damn mad at Bob Haldeman. He was the UC alumni representative on the board of regents. He was president of the alumni association. He was on there in '66. As a matter of fact, I'll never forget. We had a regents' executive session because they were talking about firing Kerr and they would have fired him if it weren't for me.

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Brown: It was agreed by all that the meeting would not be reported to the press. The very next day, a story appeared. The press told me that Haldeman was the one that leaked it. He told the press that they would have fired Kerr if it weren't for me. It was in the paper. I can't remember what paper it was in or anything like that, but that's the situation.

Rowland: What were your relations with the other members of the regents such as John Canaday, Dorothy Chandler, Catherine Hearst?

Brown: I think my relations with the university were very, very good. I grew to admire Dorothy Chandler very much. I liked Mrs. Hearst very much. I had met her beforehand, as a matter of fact. My wife and I had spent time up on the McCloud River where they have that big Hearst estate up there. I liked her, but I didn't think she was a good regent. I don't think she was too smart. John Canaday I liked. He had been with Lockheed and he's been a friend of mine for years. But my sympathies and intellectual kinship, to use that term, were with the liberal members of the board of regents, not with those who saw communists under every straw.

Rowland: Getting to the Free Speech Movement, why did you order in the police to clear Sproul Hall in 1964?

Brown: I was down in Los Angeles at a meeting and I got a call from the sheriff of Alameda County and the district attorney, and they said that four or five hundred--

Rowland: This was Sheriff Madigan and Tom Coakley?

Brown: Madigan and Coakley's assistant. It wasn't Coakley that called me.

Rowland: Was it Ed Meese?

Brown: I think Ed Meese was one of the deputies, but he wasn't the one who called me. It was somebody in the district attorney's office that I knew, and they said these people had premeditatively prepared to take over Sproul Hall and they brought beds and mattresses and food and there it was a Jewish holiday and they had some religious things that they needed. They said that they couldn't handle the situation and that they needed help.

So I sent the highway patrol in and I told them, "Take them out of there. Give them every chance to leave and tell them if they don't get out, they'll be arrested." It was a pure question of enforcing the law of the state. They had no right to go in there and I just wasn't going to let them do it.

Rowland: Did you have second thoughts about that as straining your relationship with Clark Kerr? Kerr had a different method for dealing with the students in Sproul Hall.

Brown: Well, now, Kerr wasn't there during this. He was away someplace. As a matter of fact, I was at this dinner meeting in Los Angeles. I'll never forget, at the Beverly Hilton Hotel. Franklin Murphy was there. Franklin was chancellor of the University of California in Los Angeles at the time. I pulled him aside and I talked to him. I said, "What will we do? I've got a call here and I said I'd call him right back."

Franklin Murphy said, "There's only one thing you can do. You've got to get those kids out of there. That's all there is to it. It's a definite defiance of the law and it cannot be permitted."

Of course, they were all arrested and taken down to the farm [Santa Rita prison] there in Alameda County. They were tried and I think they were all convicted, the whole bunch of them. Some of them got thirty or sixty days in jail, too. A lot of them were dismissed. But to me, you've got to remember, I was a former district attorney and a former attorney general and I was a law enforcement man. I'm really a conservative on law enforcement, but a liberal economically and in civil rights. But on law enforcement, I have a reverence for obeying the law, although I've violated it myself, I suppose. But I was the chief law enforcer of the state who had taken an oath of office to serve all the laws. I just couldn't let a revolution like that take place.

Rowland: Kerr had another method to deal with that. Did he talk about that with you? He was going to go in there and talk to the students and persuade them--

Brown: Well, he wasn't there! The chancellor, a man named Ed Strong, was there and Ed and somebody else were the ones that told them to take the signs out. I don't know where the president of the university was, but Kerr was not around during the Free Speech--during the days of the seizure of Sproul Hall. I don't know where he was.

Rowland: He was in Tokyo in September, but in December, at the time of the Sproul Hall incident, he was there.

Brown: Oh, was he?

Rowland: Yes, he was there.

Brown: Well, then my recollection is not clear. But I didn't talk to him. I talked to the chancellor and I talked to the others.

Of course, we had a meeting of the board of regents over there at one meeting, off campus in the building where the University of California offices are, and we had quite a discussion about this. Then they had the students talk to me about it, but I just felt that way about it.

I liked Kerr very much, admired him. Up to this day, I think that Kerr was one of the finest men I've ever met in my political life. I felt too that he was an excellent administrator. He ran that university very, very well. He was a real intellectual. He was an excellent lobbyist for the [university]. He'd come up to Sacramento and talk to me about it, and he was always able to convince me that the university needed more money.

Rowland: Did you get any pressure from people like Jim Corley?

Brown: Jim was a lobbyist, I think, that year, but I never regarded him very highly. I mean I liked him, but Kerr was the man. Now, one day I cut the budget of the university. I'll never forget it. Ed Pauley and Mrs. Chandler and Ed Carter and three or four others invited me to the Bohemian Club and we had dinner. I had a few drinks and after I left there I told them, "I'll support the budget," because really they convinced me to give the university money.

But you see, I never tried to interfere with the operation of the university. Running the state is a big job and I tried to appoint good regents that would select the right kind of chancellors and the the right kind of president. I would attend the meetings and I was tremendously impressed by the accomplishments of the university. The

Brown: president would give his report of honors and awards the university received every month and he'd recite that. It would take him twenty minutes--the university was just doing so much. I felt that the investment in the university was the best thing that I could do.

Creating a Master Plan for Higher Education

Rowland: I have a set of questions on the Master Plan for Higher Education. Why was there a master plan? Why was there a need for a master plan on higher education?

Brown: Well, here you have the state of California growing at the rate of 400,000 people a year and you have about 200,000 more youngsters entering the first grade and we knew we had to provide more educational facilities and how would you provide them? Would you have as a basis one a year or two a year? We had to plan down the road for maybe twenty-five or thirty years because you don't create a university overnight.

Rowland: Where did you get your background statistics and information on this? Was this through your relationship with Ralph Richardson?

Brown: No, no, you were governor. You knew the population and you knew the growth needs and the finances from the Department of Finance and the university. But Richardson--he was a lobbyist within the governor's office during the first year. I don't think he stayed longer than a year. He was only there a year. I can't remember who I brought in. I'd have to see my books to give you an accurate report on this.

So we had the Master Plan for Higher Education and Clark Kerr wanted a constitutional amendment. He wanted to put it in the constitution because he never wanted the state colleges to give a doctorate degree. He was afraid, as later happened, that they would call the state colleges a state university. He wanted to maintain the integrity of the University of California and he worked very hard at that. But then with the Master Plan for Higher Education we adopted the board of trustees of the state colleges; I appointed the first board. Then we had the Coordinating Council for Higher Education to coordinate all the activity.

I think that's one of the best things that we did, that Master Plan for Higher Education, because you see, you had approximately 20,000 more youngsters in the schools in August of '58; 20,000 more than the year before in '59; and the same thing in '60 and '61. Well, if you only take 40 percent of those and only 40 percent went on to higher education, that meant we had to provide facilities for 80,000 more because the universities were full and you couldn't get into medical school.

Brown: One of the things that used to drive me nuts was you'd be a straight-A student and you wanted to be a doctor and you couldn't get into medical school even if your grades in the sciences were great. So I wanted to create more medical schools. Well, I ran into problems with the doctors, the California Medical Association. They said there were too many doctors and I thought to myself, the hell with that. Anybody that's got the brains and wants to be a doctor, I'll try to see what I can do about it.

Rowland: We have a note in our office that during your '58 campaign you made a promise to state colleges that you would get them the Ph.D. How accurate was that?

Brown: No, I never made any such commitment as that. My wife is a graduate of the University of California and May Bonnell [Mrs. Brown's sister] is a graduate of the university and I was in very close contact with the university during my law school days, so I had no particular bias for either the universities or the state colleges. I felt they both had their place. I think some of the members of my immediate staff, people that I relied upon, downgraded the university as being an elitist institution.

Rowland: Who?

Brown: Well, I think Fred Dutton did to a great extent. Fred was a graduate of Stanford, but he had rather a contempt for, arrogance--and he was a very, very bright man. [tape interruption: telephone message]

Rowland: I'm wondering about how you worked with Assemblywoman Dorothy Donahoe when she became the initiator--

Brown: Well, Dorothy was the author of the Master Plan for Higher Education. We gave her the bill and we worked very closely with Dorothy on it. She did a hell of a good job in carrying it through and fighting. She was a real fighter.

Rowland: Why did you pick Dorothy Donahoe to do it?

Brown: I don't know. We just kind of--she was a teacher. Wasn't she a teacher or something?

Rowland: Yes. She had worked in the administration of a public school in Kern County.

Brown: Yes, so I think that's the reason we gave it to her and I think she was on the committee on education. I forget who the chairman of the education committee was.

Rowland: It was Donald Doyle for a while and then he dropped out and Dorothy Donahoe became chairman.

- Brown: I think he dropped out before I became governor. They had talked about a master plan before I got in there, but it became one of my bills.
- Rowland: Do you recall a gala sit-down dinner at Ed Pauley's residence with all of the regents and the survey team and the board of trustees and selected legislators?
- Brown: Yes, I do.
- Rowland: What was the purpose of that dinner?
- Brown: The purpose of it was probably to lobby the governor to follow through for the university, to support the university. He puts on a dinner and it's very impressive--even governors are impressed by it.
- Rowland: I think we talked about this, but I think we should go over it again. Why didn't the legislature enact the recommendations of the master plan as a constitutional amendment? Instead they enacted it as a statute.
- Brown: We fought it; we didn't want to freeze it into the constitution. We felt that we couldn't tell what time and the elements would deliver. We didn't feel it was a constitutional measure; it was a legislative measure. Clark was, of course, afraid that there would be a merger of the two, as I said before; that the university would lose its identity as the number one institution of higher learning in the state and, as a matter of fact, in the country. So he wanted to freeze it into the constitution. But I opposed it and told them that's the only way it would be. I can remember him coming up to Sacramento and lobbying me and I just flatly turned him down.

1960s Apportionment

- Rowland: I have been talking with Senator Teale, Assemblyman Don Allen and Senator Rattigan about senate reapportionment. I'm wondering what were your reactions to the Warren Court when it gave its "one man-one vote" decision.
- Brown: Well, Warren had always fought "one man-one vote" when he was governor, didn't you know that? I don't think he would have signed the bill. He was in favor of the federal system of having the senate represent the land and the assembly representing the people. He was against any other apportionment. As a matter of fact, I think there was an initiative measure on reapportionment at some stage of the game

- Brown: and he opposed the initiative and supported the federal system. I can't remember which one it was, but I'm sure that it was some time along there. Then when he became chief justice, why, the thing that he was most proud of, he said, was his decision in the "one man-one vote" case. I forget the name of it--Johnson vs. Wainright or something, I think.
- Rowland: Did you seek any consultation with Chief Justice Warren on how to enact this or what to do about this senate reapportionment?
- Brown: No, not after he became chief justice but during the period he was governor I'd talk with him a great deal. During the period I was attorney general and he was governor, we used to go out to the Del Paso Country Club here where he was an honorary member and we'd have a leisurely lunch out there and talk about everything. Warren was always a very patient man. He always had more time than I did to quietly discuss things and get things done, but it was an excellent relationship between me and Earl Warren growing out of my cooperation with him during the three years I was his attorney general and he was governor.
- Rowland: What was your position on senate reapportionment?
- Brown: Gee, I can't remember. I think I favored a modified federal system. I felt that it was too little to have one senator represent counties like Alpine, Mono, and Inyo. I thought it gave too much power to special interests because they could always, by financing a senator up there, control him, and that was the history of the thing, too. Those fellows always were very conservative in those counties.
- Rowland: Who became your trusted advisor on legislative relations?
- Brown: First, of course, I relied upon--what was the man that you named first?
- Rowland: Julian Beck.
- Brown: Julian Beck. I put him on the bench very soon afterwards and Fred Dutton, of course, was working up there and I talked with all of the new freshman senators and the Democratic assemblymen.
- Rowland: George Miller, Jr.?
- Brown: George Miller, Jr. was one of my closest friends. He and I broke on water but in everything else, we were very, very close. I think he opposed me on withholding, too. I can't remember that. Maybe he supported me on that. But I had tremendous respect for George Miller. I thought he was one of the best state senators and even though we fought on water, he was a courageous fighting guy and always on the

Brown: side of the people--except for taxation of oil companies. I mean he had a lot of big oil companies in Contra Costa County. They were his constituents and he protected them in every way. But aside from that, he was a real liberal.

Rowland: Did he talk about that conflict in having to deal with the oil companies?

Brown: No, but I accused him of it one time. We had a fight about something and he was in the hospital. I remember he had a heart attack and he made some crack to me. He said, "You don't think I'm a servant of the oil companies, do you?" I said, "You said it, George, I didn't." It was one of the two times we had a fight. But when we had the Chessman case and I tried to repeal capital punishment or get a moratorium, George was a tower of strength to me. George was the man that introduced the bill and fought for it.

Rowland: When I talked to Frank Mesplé he mentioned that there were times when Earl Warren came to visit your office, he came out to visit California, when he was chief justice. Do you remember those visits and what went on?

Brown: Oh, yes. He would always come in unannounced. He would always walk in and they'd say the chief justice was here, the former governor, and of course, whatever I was doing (it didn't make any difference what it was) I would drop whatever I was doing and go in and talk with him. He never stayed too long, but he'd come in and say hello and have a very friendly visit. I had tremendous admiration for Warren. I thought he was one of the truly great men that I have met.

Rowland: Do you recall what you talked about? Was it on California legislation or was it national legislation, national politics?

Brown: Well, we never talked about any decisions before the Supreme Court, but we would talk about my problems with the legislature and he'd tell me about the people that he thought were honest and those that were not honest and things like that.

Rowland: Tell us about the tension between your office and the senate over the creation of the blue ribbon Wellman Commission on Senate Reapportionment in 1962.

Brown: I don't remember that at all. You'll have to refresh my memory.

Rowland: That was Charles Wellman you appointed to be chairman of a blue ribbon committee on reapportionment after the Frank Bonelli initiative lost in 1960, in the '60 election. You appointed this commission to study the question of senate reapportionment.

Brown: Did the senate fight me on that?

Rowland: The senate was very upset that you as governor would interfere in senate affairs.

Brown: I have no recollection of that at all.

Rowland: Do you recall why you did get involved in that?

Brown: Sure! It's not a matter of senate; it's a matter of representation and the method of election and it's a political science question, and it's not a question of senate. I didn't care. I don't know what kind of a report they came up with. I don't remember.

Rowland: They recommended that there be three senators from Los Angeles County and two senators from San Diego County and a distribution of senators from other counties, which the senate unanimously rejected after spending fifteen months, I believe, running all around the state holding hearings. Do you remember that causing any tension between the senate leaders, Hugh Burns, George Miller, Jr.--

Brown: No, no, I can't remember. The senate was always far more conservative than the assembly.

Rowland: I have a note here that you recommended a unicameral legislature. You convinced Frank Petersen to introduce that bill in the senate.

Brown: Well, I still believe in the unicameral legislature. I fell--I felt then and I feel now--that a state growing as fast as California, that there were too many checks and balances. I discovered as governor that you have the conflict of check and balance between the governor and the legislature. The legislature and the executive are both jealous of their prerogative so you have that check and balance. Then you have the courts checking on violation of constitutional rights. Then you have the two-party system. So you have enough balance in the legislature, and I just felt a unicameral legislature of maybe ninety-five members would save--you've got one-hundred twenty now, you'd save twenty-five members. If you could divide them up, they'd have a smaller representation. Now it's divided by eighty. If you divide it by ninety-five, you'll have a smaller constituency and I just thought that it would be more efficient. I still do. I see no more need for two houses in the legislature than I see for two boards of supervisors or two city councils, each one fighting the other. I believed then in a unicameral legislature and still believe in it.

Rowland: What pressure was on you to appoint trusted senators who would lose their seats such as Joe Rattigan, Jim Cobey and Stan Arnold?

Brown: Well, the question was to take care of them. They were all good friends of mine and I respected them very much. I put Rattigan on the appellate court and I put Arnold on the superior court. Who was the other one?

Rowland: Jim Cobey.

Brown: Well, Jim Cobey, I put him on the bench too but I don't think I put him on until later. I can't remember. He wasn't defeated for the senate, was he? Was he apportioned out?

Rowland: I believe he was, but I'm not quite sure of that.

Brown: I put him on. He was one of my last appointments, but I think I he was still a senator when I appointed him.

Rowland: He managed to get through the reapportionment?

Brown: I think he did.

Rowland: On Senate Bill 13, I understand it was Teale's technical correction of reapportionment to which Don Allen attached a retirement benefits rider that would have given retirement benefits for two years of legislative service, plus the four years of "public office." You vetoed SB13 because of that retirement rider. There was quite a bit of criticism in the press about that.

Brown: Oh, there was? Well, I remember vetoing some of those pension bills, but I'd signed others that were very liberal. The retirement system of the legislature was very, very liberal and extravagant. But from my experience in political life, politics is a very difficult business and your contract is for a limited period of time and I felt there should be a liberal pension. [tape interruption]

Struggling with the Bracero Program

Rowland: What was your position on the bracero program?

Brown: Well, I felt the bracero program was undermining the domestic worker here in the United States and I wanted to better their conditions at all times. There was great agitation by influential Democrats to stop the braceros and the wetbacks from coming across. However, it was really an international question that had to be settled in Washington. So I spoke with Lyndon Johnson about it back there in '64 or '65 (I can't remember when) and told him that they had to do something about it. He said to me--I probably talked to President Kennedy about it too. As a matter of fact, I had a call from the general in command of the Presidio and he said that he'd had a telephone call from the president to tell him to send the Army out to keep the braceros and wetbacks out.

- Brown: He said, "Governor, between you and me, we haven't got enough soldiers. I don't want to say that publicly, but we haven't got enough to control that border from Texas to California on a twenty-four hour basis, so just forget about it." But there were restraints on the bracero program. We finally changed it sometime during that. I can't remember the exact period, but we did change it.
- Rowland: What were your feelings about that? What was going through your mind at the time?
- Brown: I wanted to keep them out. My reports from the agricultural workers were that there were enough workers here to take care of the situation, and I wanted them to have the work rather than to cut wages the way the braceros were doing. They'd come in in swarms and they'd work for less money and throw the American worker out of jobs or--they were all Chicanos or Mexican-Americans. I was against the bracero and the wetback program. Of course, the farmers felt they needed it, but I felt the lesser of the two evils was to keep them out.
- Rowland: You sought a compromise with [U.S. Secretary of Labor] Willard Wirtz on the bracero program. What pressures were on you to seek that compromise with Willard Wirtz?
- Brown: I don't even remember the compromise. You better tell me about it.
- Rowland: You were trying to seek an extension to the bracero program for one more year to begin a gradual phase-out of the program. You got attacked by both the agricultural interests and by civil libertarian and civic groups.
- Brown: I lost both sides by trying to compromise. Well, I think that's typical of my mental processes to try to compromise it. Wirtz and I got along very, very well. He came out here to California and he made a speech in Stockton where I'm going to tonight. He didn't get along very well; the farmers didn't like him at all because the farmers felt that they needed that very badly.
- Rowland: You talked about in that article from the Williamson committee about a master plan for migrant workers. Do you recall what happened to that master plan?
- Brown: I can't remember what we did. I can't even remember what the master plan was. But I'll read these things and by the time we get together again, then we can discuss that further.

Free Speech Movement

[Date of Interview: April 6, 1979]##

Rowland: I have one more question dealing with the Burns Committee's report on the Sproul Hall incident in 1964. They went into detail on how you were in communication with Dr. Kerr and that you also had an emergency regents' meeting. [pause to go through papers] That's the Burns Committee report on the Free Speech Movement. [handing Brown report] That's for 1965 and in that report they talk about your emergency meeting with Dr. Kerr in, I think it was, the San Francisco Hilton.

Brown: What is your question?

Rowland: I just wanted to know if you could describe the meeting and what went on.

Brown: I didn't have any meeting. All of my communication was by telephone. I never met with Kerr in connection with the free speech sit-in in Sproul Hall at all. I don't know where they got that information. As a matter of fact, I was in Los Angeles. I was in Los Angeles [coughs] at the time of the Sproul Hall incident and I got a call from the assistant district attorney who was in charge of directing law-enforcement operations. I was at a dinner at the Beverly Hilton Hotel. I remember this very distinctly. Before that I had spoken to them and then they got hold of me there.

I said, "Let me think about it for a minute," because Dr. Franklin Murphy who was the chancellor at UCLA was there at the time, so I called him outside and right in the hall we talked about it and I told him the report I got and told him I had been requested to send the Highway Patrol and that they didn't have enough police in Berkeley to take care of the situation.

We discussed it and we felt that it was an outrageous display, an outrageous violation of the law, and that I, as the chief law officer of the state, could do nothing other than to assist the local police in view of the emergency that was created. They were so--they had seized the hall, they had made preparations for a long sit-in, and their demands were "take it or leave it" and it was just one that I felt that I had an absolute duty to do it.

I talked to Clark Kerr yesterday about it. He was up there [Berkeley] yesterday and he said, "I think if you had waited until the next day and you and I had gone in there and talked to them, they may have been able to get them out without the arrest and the trial and all that sort of thing." And maybe we could have, but

Brown: this is in hindsight. Maybe we could have done that, but I don't remember any conversation where Clark Kerr suggested he and I go in. The chancellor of the university really was in charge of this thing, Chancellor Strong I think it was. Wasn't it Strong?

Rowland: Yes.

Brown: He had taken a very tough attitude. As a matter of fact, I, to a great extent, agreed with the Free Speech Movement. I thought that the university had handled it very, very badly. But I thought the students had equally handled it badly.

Of course, the university is a sanctuary of two things: free speech and also of freedom from arrest. The university campus has always been regarded as a place where they can go and retreat. But you've got to remember I was a district attorney and an attorney general and the governor and I was very much aware of my duties to preserve the peace of the community. So that was my attitude and as I look back on it, I'm glad I did it. I mean those kids were arrested, the girls were taken to the county jail, and then were taken up there to Livermore, to Santa Rita Prison and it was a terrible, terrible thing. Then they were all tried and I think some of them went to jail and were fined. It was a costly, expensive thing.

Rowland: How did that affect your campaign in '66?

Brown: I think it hurt me in the campaign because despite the fact that I sent the police in there, they blamed me for the riots to some extent--for the sit-ins--to the extent that I had always been such a supporter of the University of California. I had given them lots of money. I had felt that the university was making a great contribution.

You don't realize that the people that don't go to the university --the people that don't go or the people that can't get in--that they regard the University of California as sort of an elitist organization and even though I was tough, I was looked upon as soft. They tied it up with my opposition to capital punishment and then you couple that with the Watts riots and I had been good to the blacks. I mean I had gone above and beyond the call of duty with fair housing and with all those things. I had shown a great sympathy to minorities. So you couple the abolition of capital punishment, the Free Speech Movement, and the Watts riots, and you add all three of them together and I think they were absolutely disastrous.

Congress and the Bracero Program

- Rowland: We discussed the bracero program briefly last time. I'm also interested in your relations with the federal government over this. Who was your lobbyist in the federal government in Washington?
- Brown: Irvine Sprague was my representative in Washington. I wouldn't call him a lobbyist because he was more than a lobbyist. He was the person that kept his ear to the ground. He was supposed to keep contacts with the congressmen and the senators and advise me, tell me what could be done and what couldn't be done.
- Rowland: What was his role during the bracero program controversy?
- Brown: I don't think he played a major part in that. That was almost a direct communication between Willard Wirtz and myself. Willard Wirtz and I were very close. We both were for Stevenson in 1952 and 1956 and we were very, very close. We both talked. We felt that the braceros were diminishing the pay of local people. I was told that there was enough domestic labor, if utilized, to supply it. So we wanted to stop the bracero program. We wanted to get rid of it but we were afraid to do it all at once. We had to do it gradually but the bracero program we felt was giving the farmer the opportunity to have cheap labor--which it was.
- Rowland: What were your relations with the congressional delegation?
- Brown: My relations were excellent with the California delegation. I don't think I had an enemy amongst the congressmen and the two United States Senators (I guess at that time they were Tommy Kuchel and Clair Engle) were excellent. I mean I got along very, very well with both of them in every particular.
- Rowland: What role did the congressional delegation play in negotiations?
- Brown: I don't think they played much of a role. This was a state action. The problem was not only in California. It was in Arizona and Texas. So Wirtz and I tried to work the thing out. I can't remember how we worked it out. I remember Wirtz going down to San Joaquin County and meeting with some of the farmers and they didn't like it at all.

Of course, my background on the farmers were that they were really a pretty selfish lot. They always did well in California. They always made money. They worked awfully hard. But when I tried to set up a voluntary labor-relations board in my first year as governor, they marched on Sacramento. We had a rural senate and I

- Brown: just couldn't get the labor relations board through. The living conditions of the farm workers were atrocious and I just felt that they were the ones that really needed help in California more than anyone else.
- Rowland: Frank Mesplé described Congress as against the bracero program because a group of powerful liberal urban congressmen wanted it stopped. He went on to say that Sisk relayed this message to you at a meeting in your office. Do you recall that meeting?
- Brown: No, I do not. But Sisk was always a very close friend of mine and a very good fellow, but I have no recollection of that meeting whatsoever. After we stopped the bracero program or slowed it down --when was it finally cut out?
- Rowland: In December of 1964.
- Brown: The program came to an end in December of '64. Then we had wetbacks coming in in '65 and '66 and so President Johnson called me and said, "I'm going to have the troops control the border." (I think I told you about this.) But the program died of its own weight and the troops never went in there to control the border.
- Rowland: Did the bracero program affect your relations with the federal government?
- Brown: No, I don't think so. I had excellent relations with both Kennedy and Johnson, during my whole eight years as governor. We got along well, I supported both of them. I was the both presidents campaign chairman in California as governor. Kennedy and I were very, very close. I nominated Johnson in '64. It never had any effect upon my relations whatsoever.
- Rowland: Now, you had felt that you had a rather detailed program for phasing out the bracero programs.
- Brown: Yes, with Wirtz.
- Rowland: I was wondering who did you rely upon to design the phase out?
- Brown: I think I relied upon Frank Mesplé a great deal on that because Frank came from a farming area and he knew that.* Then I had Charlie Paul who was my secretary of agriculture. That isn't what they called his office, but he was my head of the agriculture department.

*See interview with Mesplé in The Governor's Office Under Edmund G. Brown, Sr., Regional Oral History Office, 1981.

Rowland: Did you consult with farm groups on the phase out program?

Brown: Well, I had a lot of friends in the farm groups. But we were antagonistic because the farmers were opposed to the acreage limitation and I as attorney general had supported it. I had tried to help the braceros and I had told the farmers that I thought that they were selfish. So I didn't have very many supporters in the farm groups. I thought they were very reactionary, psychologically: the [California] Farm Bureau was terrible and the Associated Farmers were worse. They were composed of big oil companies that owned that land. You want to understand down there in the valley, Standard Oil, Southern Pacific, Salyer Farms, Kern County Land--

Rowland: What about Russell Giffen and the Giffen Ranch?

Brown: I got along well with Russ. Russ was a very good friend of mine because we worked together to promote the water plan. And also Jack O'Neill, who was the one that really got me interested in building the San Luis Reservoir. But outside of those people-- I went down and visited those farms and I had a lot of friends amongst them. But you've got to remember that I was an urban, union man and, philosophically, I supported the liberal phase of the bracero problem.

Rowland: We understand that not all unions wanted the bracero program ended. One union was the Teamsters.

Brown: You see, the Teamsters represented the cannery workers and they wanted to keep that, the goods coming into the canneries, because they had damn good contracts with the canners. They only worked three or four months a year and they got unemployment insurance and everything else, so the cannery workers were in good shape. And they opposed the Mexican-Americans and Cesar Chavez and people like that; they [the Teamsters] were in direct opposition. As a matter of fact, we had a voluntary vote, at a big ranch down in Kern County, the DiGiorgio ranch, I think it was; one of the big ones anyway. And the teamsters won it. But there were cries of fraud that the real [migrant] workers weren't there. So I prevailed upon Einar Mohn, who was the head of the Teamsters Union, to have another vote. We had another vote and this time the Cesar Chavez union won it and Einar never forgave me for that.

But you've got to remember as a governor--you can see all of the problems that a governor has. I just can't remember the details of all those things. A man like Mesplé would remember it far better than I.

Rowland: What pressures did the Mexican-American Political Association groups [MAPA] put on you to terminate the bracero program?

Brown: I think they wanted it stopped. I think they had meetings with me and urged me to do it, but the group that really fought it was Cesar Chavez. What was the name of his group, the United Farm Workers?

Rowland: Well, his United Farm Workers was later, but in the early years there was the National Farm Workers Union.

Brown: Whatever it was, this group was much stronger than MAPA. MAPA was sort of a political organization. But the actual farmworkers--there were two or three active people that I would meet with from time to time. They really persuaded me of the hardships and the sufferings of the migratory workers.

Rowland: Can you recall any particular people?

Brown: There was a woman, but I can't remember her name. I really had a great deal of respect for her. She had six or seven kids too, a Mexican woman, but I can't remember her name. She was an assistant to Cesar Chavez, one of his braintrusters.

Rowland: Was there a growing awareness of the Chicano vote, the Mexican-American vote?

Brown: I would say it was a growing awareness. I was very much aware of the fact that I had to get the votes of the minorities and that I had lost the farmers. So I did try to--I suppose there was a political motivation with the thing too with the Chicanos and the Mexican-Americans. I liked the Mexicans, I loved them. I liked to be with them, to go to their Cinco de Mayo party and march in their parades and I had a lot of good friends in the Mexican community and so I --but I was philosophically sympathetic with them. [tape interruption]

Views on the Death Penalty

Rowland: I wanted to talk about the death penalty question in 1966. This was in your last days in office, you were asked to commute the sentences of all the men on death row.

Brown: Well, nobody really asked me to commute the sentence. I did this on my own. I didn't believe in the death penalty and in every one of those cases I felt there was some reason for it. For example, there were two men [Clyde Bates and Manuel Joe Chavez] that set fire to a bar and burned six people to death. They were both drunk. They had no reason to do such a terrible thing. They got that gasoline and poured it and set it afire and burned some people to

Brown: death. But I didn't feel that there was any purpose; it was a purposeless crime. There was no premeditation in the sense that they went back and had any commercial motive. So those were two whose lives I spared. I can't remember the others. But in all of them I looked for some basic reason for commuting their sentence.

I still had my oath of office, and capital punishment was on the statutes and I felt that it would be a nullification of the will of the people if I cut them all out. I just couldn't find any reason for mercy in these other cases. It's just that the crimes were too horrible or there was premeditation, commercial motive, robbery, burglary, or rape. But in these cases I had some reason for considering every one of them and the reason should be reported some place. I had reports of these cases. If I could read all those cases I could tell you why I did it, but I can't give you the reasons for it right at the moment. I commuted some to life imprisonment without possibility of parole. For example, [Edward Simon] Wein was one of those that I commuted the sentence to life imprisonment without possibility for parole and then later I made it with possibility of parole. [spells name] He didn't kill anybody, he raped. And I felt they had escalated rape from a one-to-fifty year sentence to a capital offense without good legal reason even though the Supreme Court had upheld it and held that it was kidnaping and movement. I felt that from a standpoint of mercy and justice that it was not. I disagreed with the court.

Rowland: Now, you had pressure from many groups and one of those was the Catholic archbishop of San Francisco. Did he make a personal--

Brown: For what?

Rowland: To commute the sentences.

Brown: No, that's wrong. The Catholic archbishop never put any pressure on me at all? Where'd you get that idea?

Rowland: Friend's Committee on Legislation.

Brown: Never, never. I can't remember the Catholic archbishop ever talking about capital punishment. As a matter of fact, the Catholic dogma, the Catholic moral, is that capital punishment is justified as self-defense. I can assure you that I had no pressure. The only pressure in capital punishment cases came from my own conscience. I didn't have any pressure from anybody on anything. This is one of the things that pressure had absolutely nothing to do with. I just disagreed with it.

Brown: Like today coming down I heard about them giving this fellow a week's stay that wants to be electrocuted and, gee, that's playing with-- a guy was prepared to die this morning at 12:00 and you get prepared for that and you're ready to go. Now, you give him another week of life and this is torture, absolute torture.

I did the same damn thing with Chessman. I gave him another sixty days of life which didn't mean a goddamn thing but I was hoping that maybe there would be some way to get his sentence commuted to life.

Rowland: Tell us more about your decision in the case.

Brown: Well, the Chessman case in my opinion had more to do with my image than anything else, because I turned him down. I said, "No, I'm not going to do it." I gave good reasons. He didn't ask for clemency. What he wanted was justice. He wanted vindication. That I couldn't give him. Justice came through the courts. All I could do was to give him mercy. He never appealed for mercy. He appealed for justice. Well, the courts were the ones who rendered justice; I rendered mercy. However, his conviction had only been affirmed by a four-to-two vote and I think a five-to-four vote or a six-to-three vote in the Supreme Court of the United States, I can't remember which. I didn't feel that anybody should be executed where there was some disagreement as to his case. So I thought about it and then my son called me up and asked me to give him a reprieve, so . I gave him a sixty-day reprieve and I went to the legislature and tried to get them to either have a moratorium on the death penalty for two years and see its effect upon homicides in California, or the abolition of capital punishment. And I lost both. So he had to die because I had no right to commute his sentence from death to life. He was a twice-convicted felon.

Advocating a Consumer Counsel, Fair Housing, Tax Withholding, and Teacher Credential Reform

Rowland: I have a group of questions here on the consumer counsel bill.

Brown: Yes, that's during the first year of my administration. [tape interruption]

Rowland: My question is why did you choose Senator Richards to handle that consumer counsel bill?

Brown: Well, I tried to in the first year, after I was elected governor, even before I was elected governor, we had a program for the first year of our administration and we had the consumer counsel and we

- Brown: had a farm labor bill, we had the water program, we had a tax program. We had a full series of bills and I tried to select different people to handle different legislation and it was just by chance--
- Rowland: Was his selection connected with Richards' opposition to the water bill?
- Brown: No, none whatsoever. No, that had nothing to do with it. I knew Richards would have to support me on the water bill anyway and I had a local assemblyman, Carley Porter, handling the water bill in the assembly and I wanted a leader--and Richards was not a leader. He was a very liberal guy, don't misunderstand me. He represented an urban area in the senate.
- Rowland: What communications did you have with Vincent Kennedy of California Retailers Association?
- Brown: Like I had with all of the lobbyists. Vince was an old friend of mine, but we were on opposite sides of the fence. His job was to get legislation through. We were defeated and we met from time to time, but it was never any close relationship.
- Rowland: How did he work with you when the bill was proposed?
- Brown: I can't remember. I don't think he did. It was one of my campaign commitments. He probably knew he couldn't get me to change it.
- Rowland: Jumping ahead to the fair housing negotiations in the state senate, we know that some key liberal senators defeated what they called the "old guard" in the senate by parliamentary maneuvers to pass the Rumford Fair Housing bill. I wondered what role your staffers might have played in those maneuvers?
- Brown: Well, we played a very active part. We were down on the floor. We were fighting. We were promising everything in the world to get it through.
- Rowland: What were some of your promises?
- Brown: Well, I can't remember what promises I made in particular situations. This was really an ideological fight more than anything else. It was opposed by the conservative senators and by most of the people of the state, as indicated by the initiative that they put on the ballot later on.* But I went out for this. I went all the way out. I

*Proposition 14 on the 1964 ballot, known as the anti-fair housing initiative, attempted to strike out the Rumford Fair Housing Act. Sixty-five percent of all votes cast favored the proposition. The proposition was declared unconstitutional by the U.S. Supreme Court in 1967.

Brown: felt very strongly about the discrimination in housing for blacks, that they couldn't get into apartment houses and they couldn't get into nice homes and the separation of people was a big thing for our country. I just felt Cecil Poole, my first clemency secretary went up there [Sacramento] and had a hell of a time finding a place to live. It just offended my sensibilities.

The Fair Housing Act was one of the great victories of my career. After the initiative carried by an overwhelming vote, I think it was passed by 70 percent of the people or 71 percent, I then participated in the court fight and declared it unconstitutional upon the grounds that it was a denial of equal protection. And we won in the Supreme Court of the state of California and we won it in the Supreme Court of the United States later on. So that initiative was declared null and void which was a hell of a thing for a court to declare against an overwhelming vote of the people, but we did it.

But I can't remember any particular trade-off. It was just pressure. I'd tell a legislator, "If you don't vote for this, you're not going to get your legislation through. Forget about it."

But George Miller, Jr. was a yeoman and Joe Rattigan and Dick Richards and who else was a strategist in that?

Rowland: Ed Regan.

Brown: Ed Regan wanted to go on the court, appellate court. He probably felt that if he'd help me in that, he'd go on the court, which he did. Ed was also really an economic conservative, but a civil rights liberal, and Ed did a hell of a good job on that.

Rowland: How did the passage of that bill affect your ongoing relationship with senate leaders like Hugh Burns?

Brown: Well, my relationship with the senate and Jesse Unruh, when that bill was passed in '63, were very bad. They had deteriorated to a --Jesse wanted to be governor and he felt I might run for a third term--I might support somebody else, so he was out to hurt me--
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Brown: Hugh Burns was a close, personal friend of mine, but philosophically opposed to everything I did.

Rowland: I was asking about your post-Rumford Act relations with the state senate leadership.

Brown: They had nothing to do with it. Hugh Burns and those fellows were never with me: Hugh Burns, Randy Collier, and two or three others. I can't remember who they were.

Rowland: Hugh Donnelly and Luther Gibson--

Brown: They were all really right-wing Democrats and they were people that went along with me only if by chance we happened to agree upon things. It's awfully hard to get a legislature to move because there's a great deal of reciprocity and trading amongst the legislators. They may be with you philosophically, but if Jesse Unruh would appoint them chairman of a good committee they would abandon the governor. [tape interruption]

I would invite senators down to the office and Hugh Burns, even though he philosophically disagreed with me on issues, he was always johnny on the spot in coming to the office. He always paid the governor's office great respect. Now, to the contrary, Jesse Unruh, I would call him and ask him to come down, he'd come down maybe twenty-four hours later or something. He was disrespectful and very, very bad to me.

Who did I have on my staff? [pause to go through papers] We all worked on legislative matters, everybody in the office including myself. Whoever was the legislative secretary at that particular time was in charge of it, like Frank Mesplé in '65 and in '64, Paul Ward. And also Frank Chambers; in fact, the whole group worked on it.

Rowland: You didn't have a special person designated to the senate then?

Brown: No, I didn't have one for the senate and one for the assembly, although they would divide up their work.

We had things we fought for like I tried--withholding was a very, very important issue. I wanted to get withholding to stabilize our tax program. I can't remember who opposed me on that withholding at the time. I can't remember whether Jesse Unruh was with me or not. But I couldn't get it through George Miller who was one of my closest friends and head of the Senate Finance Committee. He just wouldn't go for it, and Gene McAteer, who was also my friend, happened to have a little business, a restaurant business, and didn't want to do additional bookkeeping.

Rowland: I have a few questions on the teacher credential bill. That's Senator Fisher's bill and I was wondering why did Senator Fisher carry the bill?

Brown: Fisher was one of my close friends. I don't know whether he had been a teacher or something, I can't remember. But I tried to give the bill to my friends or people that have influence.

Brown: When you give a bill to a legislator, you wanted somebody that could carry it through, that had the intelligence to explain it, and could fight for it and work it through and had some friends and some trades in the legislature.

Hugo was a very close friend of mine and I really believe that teachers--a lot of the academic courses that they took were teaching methods--methodology courses that were not necessary. My daughter was a teacher, Cynthia. She went to San Jose State, and I was amazed at how few basics she had and how many teaching methodology courses that she had. So I felt that the greatest thing that a teacher could have would be to know the subjects that they were teaching. So that was the reason. But it was a bill that I fought hard for and we got it through.

Rowland: Senator Fisher's bill met quite a bit of hostility from the California Teachers' Association. Do you recall that?

Brown: Oh, yes. They didn't like it at all; they didn't want it. But it's awfully hard when you're governor to get special interests to move on anything new at all. There's a natural antagonism between the executive and the legislature over the jealousy that comes from credit for legislation. The governor comes up with a lot of things and the legislature puts it through. The Speaker thinks he's entitled to credit or authorship of the bill. So pretty soon they're going to discipline the governor and make him give them [legislators] credit for it. [tape interruption]

Legislative Staffing; Lobbying

Rowland: When you were talking about the jealousies that exist between the governor's office and the legislature that reminds me of Unruh's attempt to professionalize the legislature and make it independent of the governor's office.

Brown: Well, it was more than that. It was a personal ambition on Jesse's part. He enjoyed--he was a very strong man and a very intelligent guy and he was a great student of government too, but the expansion of the staff, in my opinion, went all beyond reason. You've really got two governors now. You've got the governor's office and you've got the legislature. So there's bound to be a built-in conflict that it exists now. The governor's staff is working on these things all the time. Not in the governor's office itself, but the governor's administration and they know what can and what cannot be done. But they can get pretty hidebound sometimes and it's awfully hard to get them to change.

Brown: The way you have it today, you have two groups. You have the governor's office and the legislative groups and you can bring about a stalemate because you've got two groups of experts. In Sacramento you'll find out that the governor's office is no more intelligent than you are and so you may come up with one solution and they'll come up with another and you will both clash heads on which brings about a deadlock (and it's very hard to compromise). But there's a built-in conflict between the governor's office which I think is due to an overexpansion of the legislative leadership. It's very expensive today and there are so many staff members. You go into a senator's office now and there's nine or ten assistants and each one of them has nine or ten assistants. So it's a real problem.

Now, of course, I think the answer to it would be--and then you have the same thing in the senate. So you have the governor, you have the senate, you have the assembly, and then you have the special interest groups, the California Teachers' Association or the agricultural workers, but it all makes for, I suppose, a thorough airing of a problem. I would favor doing away with one of the branches of government and have a unicameral legislature. But that's another subject.

Rowland: It's been said that a highly paid legislator with able staff would be less likely to seek the favors of lobbyists.

Brown: No, I don't think that's true. I think that the assemblymen and senators are dependent upon campaign contributions for their re-election. They will support the groups that have them up there; there's no insulation from lobbyists. Anytime a lobbyist wants to see a senator or assemblyman he can do it.

Rowland: Do you see there is a definite purpose to the special interest groups? Many legislators have said that they are an information source, a tremendous wealth of information that you can't get otherwise.

Brown: Well, I don't think the question is a good one if you don't mind me saying it. If you're in the automobile business, you know the problems of the automobile industry. The same can be said for consumer groups. They have an absolute right to be up there and put their input into it. And in most cases, it's very, very good because otherwise legislators that know nothing about a particular problem could put in legislation which could be disastrous to a business or profession or industry. But by their input, you're able to balance the ideas and troubles of a consumer, for example, against a retail store and out of it comes good legislation.

Brown: Of course, I always thought it would be far better if the legislature didn't meet for about two years and just had a moratorium of any new laws of any kind and just left things as they were for two years; they should go home and stay home and let the governor and the administration work. I think one of the worst things that's happened is the year-long sessions of the legislature. They're up there all the time and so there's turmoil all the time instead of--you couldn't operate a business if you had a board of directors changing the rules, or passing the rules every thirty days. It's just a built-in impediment to efficient government.

Bodega Bay and Nuclear Power

Rowland: The last of my questions deal with nuclear power. Why did you support atomic energy?

Brown: Well, I just felt that we couldn't use oil. I can't say that I had the foresight to realize we'd be so dependent upon Middle Eastern sheiks for our oil and everything. But in my contacts with Admiral Rickover and other people, I felt that nuclear power (I think we called it atomic energy then) was the answer to our power problem. We were running out of hydroelectric power. We didn't know that we had enough of the thermal energy. And coal we don't have in California. We had to bring coal over from Denver. So nuclear power was one of those things I just believed in.

Rowland: Alexander Grendon was your atomic energy adviser.* Why did you select Grendon?

Brown: He was just a lone wolf in setting up--I think one of the issues in the campaign was that I would set up an atomic energy department or commission because atomic energy was growing all the time and we wanted somebody who could meet with the scientific community and advise them on it. Alexander Grendon, I think, was a professor of physics or something at Berkeley. I made an inquiry of people in the nuclear industry to get a list of candidates for the position. I had to pick somebody and he came highly recommended and so I said, "Put him in there."

Rowland: Turning to the Bodega Bay Nuclear Power site, what was your early position regarding that siting near Bodega Bay?

*Alexander Grendon's official title was coordinator of Atomic Energy Development and Radiation Protection.

Brown: I think I favored it at first. I think I favored the nuclear power plant up there first, but when they showed me that it was right on the fault line (the earthquake fault line) and the fact that Bodega Bay is an isolated but beautiful part of California, I just changed my mind and opposed it. That was all there was to it. I think Bill Bennett, who opposed it from the beginning, I think he was on the Public Utilities Commission and he convinced me that I shouldn't do it.

Rowland: Did this change your basic views about nuclear energy?

Brown: No, no. I supported nuclear energy up until this incident last week.

Rowland: The Three Mile Island incident?

Brown: Yes. I was the chairman of the committee against the initiative that would have practically barred nuclear energy in the state of California, and I did believe that nuclear could be made safe.

I'm not so sure today. I've been shaken by this because I was assured by my physicists and scientists that they had all sort of built-in protections against any such incident as this. And now that I've seen human error move into a thing like this, the results can be so disastrous. A melt-down could destroy a whole river literally if it got into it. I just feel that no longer can we support nuclear power. I just feel that it's too dangerous. We've opened up a Pandora's box of great difficulty. There are alternative sources such as coal and even though that may be air polluting and a slower death (if you'll have it that way, than would happen with radiology), I do think they can put scrubbers on the power plants and they can use low sulphur fuel. From what people tell me, it's relatively safe. We're going to run out of oil in twenty to twenty-five years and these years pass very, very quickly. So you can't depend on oil. We're going to have to use coal. That's the only thing they can use. We're going to have to have a certain amount of air pollution that's going to come along, but I think it can be minimized. But I don't see how you can minimize human error in nuclear, so I'm now going to oppose any further nuclear plans in California or any other place if I have anything to do with it.

San Diego Research Library

Rowland: I gave you a clipping there on what is called the San Diego file incident in 1962.

Brown: Yes, I know that you've made a study of that.

Rowland: I wondered if any of the clippings I sent you jogged back any memories. [see following page]

Brown: Well, I remember when Fisher went in with the head of the national guard and seized those papers and claimed they belonged to him. What a furor it created because they [San Diego Research Library] claimed they were private papers. And I think they filed a suit against us. But we just felt that they were using those files for nefarious purposes. I told you, I think the other day, I thought they were a lot of nuts.

At first, in my report that would come in from the attorney general's office on judges and other appointees, I didn't know where their reports came from. I never heard of this group in San Diego. I assume that the state Department of Justice made their own independent investigation. I gradually grew into a feeling that there was no communist conspiracy. There were liberals, and there were people that maybe wanted a socialistic form of government. But that there were also a group of psychopaths that saw a communist under every rock.

Why we gave the files back to them--I guess we gave it back to them because they were worthless. Unless they were used, unless the state had some confidence in them, why, they were useless. So that's the best answer I can give you to that.

Rowland: Do you recall a man named Colonel Harold Hjelms who was used as a clearinghouse for appointees?

Brown: No, I don't. Was that during my administration or Knight's?

Rowland: It was in your administration, Knight's administration, and in Warren's.

Brown: I remember the name Colonel Hjelms but if he walked in the door here today, I couldn't identify him.

But I didn't--I used to get these reports about communist activity and they were somewhat helpful in this sense, that when you appoint someone to office, you want to know with whom they associate and things like that and if--for example, even though I wasn't afraid of a communist conspiracy, there was some woman who was a very active communist for a long time--what the hell was her name? She ran for office all the time down there. I forget her name.

Rowland: Oleta O'Connor Yates?

Brown: Yates, yes. Well, if a man were working with Yates then they were communists. And I just politically and philosophically would not want to appoint a communist to public office. So to that extent those

Brown: reports served well. But because a person happened to be connected with Youth for Democracy in '43 or '44 during the wartime when Russia was our ally--I didn't pay any attention to that junk stuff because I grew up during that period and I knew all those people that were young. They were really young communists, but most of them changed.

For example, there was one judge (I can't think of his name) who was a communist, a member of the communist party back in '32 or '33. He was a black man and the Communists offered him some help and solace. He grew and got out of the Communist party later on, but he was always a bleeding-heart liberal. So I didn't appoint him for that reason. So those reports did play a part.

But as I got into it more I concluded that the--I always thought the Burns Un-American Activities Committee was a sham and a fraud. It was only Burns and this guy down in Visalia [Richard E. Combs]. That was it. There were no legislative hearings. They didn't give a person a chance to respond. I thought Burns, who was otherwise conservative but sensible, was taken in by these people, by Mr. Combs in particular.

Senator Richards and the California Water Plan

Rowland: On the ride over to San Francisco we were talking about Los Angeles Senator Richard Richards and how you managed to convince him to support your water program. I would like to get that on tape. How did you manage to bring Richard Richards around?

Brown: Well, you talk to him. Richard Richards is a very intelligent guy and he and I grew up in the Democratic party. He always supported me and I supported him. He was an outstanding Democratic leader and you'll find him to be a very intelligent fellow. I finally convinced him that we couldn't get a constitutional amendment through, that water was necessary to the south, and he yielded on it. That was all there was to it. He could have written a constitutional amendment. It probably would have been a good thing. It would have helped the passage of the legislation, but we couldn't do it.

XVI 1964: PARTY LEADERSHIP AND LEGISLATIVE CONCERNS

[Date of Interview: 15 November 1978]##

State and National Democratic Committee Changes

Fry: Let's kind of set the scene on 1964 first, Pat, before the election campaign started. In '62, you were left with kind of a problem with Carmen Warschaw, right?

Brown: Was it in '62 that we had the problem with Warschaw?

Fry: Well, you had it with her in 1964 because she was running for--

Brown: Democratic national committeewoman over Gatov and Gatov won. Gene Wyman supported Gatov and I supported her, and Warschaw got very angry. She claimed that Wyman had given his word that he would support her, and Wyman said that he didn't; so that's where it was. She didn't get really angry with me I don't think, but she got very angry with Wyman, who was my closest friend down there. I can't remember when he came into the picture, but when I made him Democratic state chairman--

Fry: That was '62.

Brown: He became my closest friend and in the '62 campaign [he] was really a tremendous tower of strength.

Fry: One of the leftover questions from the '62 campaign is how did you make him Democratic national committeeman.

Brown: Oh, I made him national committeeman by just telling the delegates that's the man I wanted in the convention. He was really a tower of strength. He raised money, particularly amongst the Beverly Hills

*Conducted at the penthouse of Ben Swig in the Fairmont Hotel, San Francisco.

Brown: Jewish community that were very large contributors to the campaign. He had a magnificent brain. During the '62 campaign we had these telethons in various parts of the state. We had one in Los Angeles, one in Santa Barbara, one in Redding that hit all over northern California, and we had one in San Francisco. We had four and they were very effective. Nixon had them. He had them for four hours, and I think people got tired of them at four hours. Two hours they had just enough, and the program was well worked out. We used cropped pictures that Nixon had used; we showed where he'd cropped pictures. Maybe we went into that.

Fry: Yes, I think we did, where they'd cropped pictures of you.

Brown: Yes. He also showed the phony endorsement of this Democratic organization that was put together [by Republicans]. He and Roger Kent took that to court. That '62 campaign was really a tremendous victory when you look back on it because ever since I had commuted Chessman I'd been in trouble.

Fry: Yes, I think we covered that.

Brown: I went into that with very great detail but it still makes me feel bad when I think about it.

Fry: I think the only thing that we hadn't really talked about was how Wyman got into office. Did you have sufficient clout that all you had to was--?

Brown: As the governor I think I made him the state chairman after 1962 at the party convention. I just supported him. I don't know whether there was any opposition. I can't remember that. I don't know who was the co-chairman." There was a woman down there, Liz Snyder, who was chairman one year and a good lady too.

Fry: At any rate, you were able to just get him in over whatever opposition there was.

Brown: Right. As the governor, you pack the muscle to name your own chairman. Although in '66 I was unable to keep a fight out in '66 between Charlie Warren and Carmen Warschaw for the Democratic state chairman. She insisted upon me taking a position, which I did in a very weak-kneed

*For 1962-64, Jane Morrison was co-chairman; Roger Kent and Ann Alanson Eliaser were vice-chairperson for northern California, with Joan Kerrigan, Diane McGuinness and Carmen Warschaw for southern California.

Brown: way. But it was so silly to fight over a state chairman when I was engaged in a battle to death. I've never really forgiven Carmen for doing it--or Charlie Warren for that matter. I've never had the same respect for him. I've always thought he was kind of a bubble brain since that time, although he had a great reputation in Sacramento for his environmental work, but I still think he's a bubble brain. But let the history show that. [tape interruption: telephone call]

Troubled Relations with Jesse Unruh

Fry: The other thing that had happened that was kind of big was yours and Unruh's battle. Unruh had made the big mistake of locking up the legislature before this campaign got started. Remember when he wouldn't let them out until they voted?

Brown: He did that in 1963. I was away and we couldn't get a budget. We needed a two-thirds vote. As a matter of fact, I was on my way for a six-week trip and I had to stay in the United States. I had to stay in Florida. Bernice and Kathleen and Jack Burby and his wife. I think Jack Burby stayed with me and Barbara DiGiorgio (that was Bob DiGiorgio's daughter). They had preceded me to Ireland and I was waiting for that damn budget because I thought I might have to come back. So we had to cut short our stay in Ireland by three or four days while I waited for that damn budget to be signed. But Unruh locked them up. I remember that very distinctly. That hurt him, but not very much. He was a very powerful legislator for the four years from '62 to '66. But very unfriendly to me in a very snide and contemptible way.

He wanted to run for governor, and he was afraid that I'd support Hale Champion or Alan Cranston or somebody else over him. So he was just determined to use his muscle, which was tremendous. He had great influence on the legislators. All Speakers have because they raise money, and Jess had raised a lot of money for the assemblymen, number one, and number two, he appointed them to good committees and things. So he was a very powerful guy.

Fry: It looked as if you were meeting him on his own battleground there because I found this memo from Mesplé dated September 11, 1964, during the campaign where you also were trying to contribute to candidates who were sympathetic. [hands document to Governor Brown]

Brown: Yes, I raised a lot of money too.

Fry: Unruh raised his by having dinners and things like that where lobbyists came and bought tickets. How did you raise yours?

Brown: The same way. Governors were able--you know, you're able to raise money from your friends and everything. Every single one of these guys lost, by the way.

Fry: Oh, really? [reads list] Cruz Reynoso, Newton Chase, John Dail, Harold Booth.

Brown: Yes. They all lost. I think only one--Win Shoemaker may have won.*

Fry: How did you choose them?

Brown: Well, they were all candidates. These were all the Kent nominees.

Fry: So you weren't competing with the incumbents for power over the incumbents.

Brown: No.

Fry: I wondered how this lined up for your own pattern of influence in 1964, because the Western Political Quarterly article I read said that you really had had a rather poor relationship with the legislature between '62 and '64.**

Brown: I would say that I did. I had a poor relationship with the legislature because of Unruh's independence. I got along well with individual legislators; but collectively where there was a fight, they voted for him and not with me. Later on, I can't remember when it was, it was probably between '64 and '66--he and Hugh Burns had the Burns-Unruh television broadcast every week. They ridiculed me and a lot of the things that I supported. There was very hard feeling between Hale Champion and Winslow Christian and my staff, and Unruh and his staff. It couldn't have been worse if they were Republicans.

In the first four years where we worked together it had been a magnificent relationship, and we really got a lot of things done.

Fry: I was wondering if you tried to bring in a new person to work with Unruh or anything like that?

*The Governor's memory is correct. Curiously, Newton Chase is not reported in official voting results for his 37th Assembly District, which elected Democrat Burt Henson.

**Totton J. Anderson and Eugene Lee, "The 1964 Elections in California," vol. 28, no. 2, June, 1965.

Brown: I had him over to the mansion. I'd have them over to the mansion. He'd come over with his assistant. (I forget the name of him; he was a Jewish fellow. I can't think of his name.) He was his number one man. I'd have them over to the mansion.

Fry: Larry Margolis?

Brown: Yes, Margolis. Margolis would come over there and I'd talk to them, have them over to breakfast. But it was completely ineffective, because Unruh wanted to run for governor and he felt that I wouldn't support him because of this mutual distrust that had developed. I guess it really probably developed during the 1960 campaign when he was really more in the--

Fry: Kennedy?

Brown: With Kennedy there was a greater kindred spirit--that's not the word--sympatico between the Kennedy group there in the White House and Unruh. They liked him very much. He was a powerful, strong leader, and I was regarded after Chessman as kind of vacillating, couldn't make up my mind.

Fry: Do you mean by Kennedy himself?

Brown: By Kennedy's group. Kennedy's group felt that way about it. But that was the situation and the situation deteriorated from then on, and he kind of paraded out his strength with the Kennedys and the Kennedys permitted him to do it. He had an open door to the White House. Of course, in '63 when Kennedy was shot, from there on out I became--Johnson took one of my men, Irv Sprague (who was my congressional liaison man). Johnson and I were very, very close after '63.

Congressional Relations

Fry: Sprague had been a kind of lobbyist for California?

Brown: That's right.

Fry: He went into the White House?

Brown: He went into the White House as one of Johnson's secretaries. Johnson told me one time that he never had a more able man. As a matter of fact, I heard today that Sprague is going to be appointed chairman of the Federal Deposit Insurance Corporation.

Fry: He is?

Brown: That's what they told me.

Fry: He's been head of the committee--what would you call it? The Democratic caucus in Congress?

Brown: Yes. But he's a real smooth, intelligent, friendly guy. He doesn't fight. He just keeps his mouth shut and listens. One of the great difficulties you have if you send a representative back there, the Senators and the congressmen resent it. They think you should deal directly with them rather than through an agent in these things. I had one person back there who was good. (I can't think of his name either. Time moves on. There's so many of these people.) He was good too. But one I had, they didn't like at all, and I finally got rid of him. I can't remember which one it was. They're very touchy.

Fry: What did he do wrong?

Brown: Well, he just was a little bit too offensive. Rather than being diplomatic, he tried to force things.

Fry: You have to awfully diplomatic in the first place, the congressmen want to deal directly with you. Is that it?

Brown: I understand that. Joe Beaman, for example, who represents Jerry, is not too well-liked back there by the congressmen. But the congressmen are awfully hard to get along with themselves. They're all individualists. They all have their own little fish to fry, and it takes a real diplomat to get along with them.

Fry: One question that's been on my mind and we might as well deal with it right here is: how did you use someone like Irvine Sprague to clear appointments or to help with appointments?

Brown: He would talk with the congressmen or Senators, for example, on judicial appointments and he'd call me up and tell me that they wanted Luke McGlucke to be the federal judge down there and what do you think about it?--before they nominated him, and he worked very well with the White House too, with Johnson's office. It was a very excellent relationship.

It was good for California because things were good in California. If we wanted money for a new dam, why, we'd go back and explain it to him and tell him what it was, or I'd send my director of water resources back there. He'd know the important people in Congress, the congressman in charge of the subcommittee, to talk to and things like that, but it was a very effective arrangement.

Fry: Was Warren Christopher a sort of an adjunct to this appointment business?

Brown: Warren Christopher came up during the first four months of my governorship. He was one of my chief advisors. He worked right in the governor's office.

Fry: Was he connected with Sprague in the clearing of appointments?

Brown: He was the chairman of a committee that I appointed for judicial appointments. I had a committee in southern California composed of Joe Ball and Warren Christopher and a fellow named Chuck Beardsley, who was president of the Bar Association, and Gene Wyman. There were a group of outstanding lawyers down there, most of them trial lawyers with trial practice who would make recommendations for me for those great number of judges that you appoint in Los Angeles County. Warren also acted as an advisor on other things. When the going was tough, I could always call on Warren Christopher for advice; I had tremendous confidence in him.

Fry: Was this your own personal ad hoc committee?

Brown: My own personal ad hoc committee, that's right. It was just appointed by me. They would meet and have lunch and make recommendations to me for all of the appointments. Of course, I didn't always take their advice, because I'd have people that were supportive of me. It was really only true in Los Angeles. In counties like Orange and San Diego and San Bernardino and Riverside I made my own inquiry through people that had supported me in the campaign and in whom I had confidence in their legal qualifications. I was always determined to appoint good judges because I had been a trial practitioner and going before a mean judge or a stupid judge or an alcoholic judge was so unpleasant that even though I might have somebody that was a very, very close supporter of mine and a person who worked very closely with me on a great many cases, I just refused to appoint them judge.

Working with Hugh Burns and Lobbyists

Fry: Back to this legislative business, I ran across a letter from Hugh Burns, who was supposed to be on the delegation, but he wrote a letter and said that he couldn't be on it this year, 1964. I wondered what the relationship was between you and him?

Brown: Hugh has always been a very conservative senator and very, very close to lobbyists like Judge Garibaldi. The two of them traveled together and associated together. Garibaldi is a very intelligent fellow. He's a member of our law firm now. Did you know that?

Fry: I did read that.

Brown: He's a partner in our law firm. I saw him the other night. He and I are very, very good friends, but he was never able to get anything from me.

I was always suspicious of the money that was spent. But I never viewed lobbyists with contempt. I used to laugh at them and get along with them, because I realized that they could contribute to the legislative process and the governmental process by telling us the needs of their business. They were all selfish, but you needed that input in order to know what was the right kind of legislation. So I maintained a good relationship.

I had a big fight, of course, with the oil companies on many matters. I can't remember what they were. I had a big fight with the insurance lobbyists on home-office deduction. I had a big fight with the retail liquor stores with price-fixing. I wanted to remove the price-fixing. All those things have come about, by the way, and I've supported them. All of them were fights with the lobbyists.

But Burns and I got along very well. Hugh had a great respect for the governor's office and he had a great respect for me, even though he differed philosophically from me. If I needed Hugh Burns on something, I would call him up. I would bring him down, ask him to come down and see me, and he and I'd talk it over. Even though I knew he was philosophically against me (I knew in a great many cases the lobbies had their arms around him) he was a good legislator. He handled my water legislation, the Burns-Porter Act, and did very, very well with it.

Fry: While I've got it on my mind, when I was in Washington interviewing Hale Champion he was telling me about the water legislation and he had a good story about how you managed to get Hugh Burns to handle it, except there was a last-minute concession that had to be made, but he couldn't remember what it was. There was one concession that had to be made which was that Hugh Burns wanted one of his men left on the Insurance Board and you said, "Okay."

Then right at the last minute the water bill got stalled in committee and Burns wanted one more thing. So they had to send a man down. This was like at 11:00 at night, some zero hour. Do you remember that, Pat?

Brown: What was it that he wanted? I can't remember. No, I can't remember what he wanted. That was 1959. That was the first year of my election, but I have no recollection of what it was. No, somebody would have to refresh my recollection. There were a lot of trade-offs I had to make in that case. I appointed a judge that McAteer wanted me to, to get his vote, and I did a lot of those things.

I don't remember it now, but I was always willing to trade an appointment for a vote if it were sufficiently important.

In the White House

Fry: I thought we might go briefly into just how Kennedy's death affected your status with Washington and with the White House.

Brown: Kennedy always respected me. Whenever I went to Washington I would see him and in the White House, although I was never invited to stay all night at the White House while he was president. I don't think he invited many governors to stay there. I can see why now, when I see that he had "other" guests and he probably didn't want them around. But he and I worked very closely. On one occasion there was a strike at Western Airlines and he called me up and said, "Get hold of the president of Western Airlines and tell him to call me. I want that strike settled." I called this fellow, the president of Western Airlines, but he wouldn't call the president. The president never got over it. He really--and other things.

We had a very confidential relationship. I was back with Kennedy the day of the Bay of Pigs. Maybe I told you about that. Did I ever tell you about walking in on him? I had an appointment with him on the day of the Bay of Pigs when he got the word that the Cubans had repelled the invaders that we had been financing. We had some meeting about something; I can't remember what it was about. But I could see he was terribly concerned over the--

Fry: This was a telephone call?

Brown: No, I was in his office. I was in the Oval Office.

Fry: And he got a phone call?

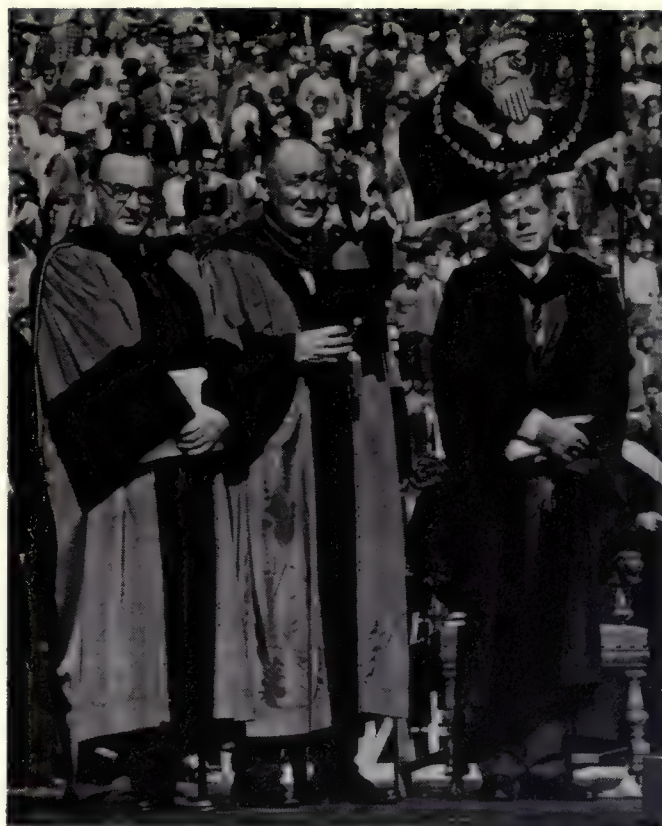
Brown: No, he had known about it before that. He was waiting for it anxiously, and then Bobby came in and the two of them walked outside, and then he came back and talked with me. But his mind was not on our conversation at all, so I pardoned myself and left. Then he made the speech where he took full blame for the Bay of Pigs, if you remember that, which he did very well and it was really very helpful to him.

Ken O'Donnell and the people around him, the political people around Kennedy always treated me very, very nicely, but they liked Unruh much better. I went to the baseball game with him and sat next to the president which was a nice thing to do. I don't think I was ever invited to a White House dinner when Kennedy was there. I can't remember going to one.

Johnson invited me four or five times and invited me to stay there at the White House on two occasions, so we stayed there a couple of times. I'll never forget one night. I got kind of drunk there and



Governor Brown and Chief Justice of the U.S. Supreme Court Earl Warren count their ducks after a successful day's shoot at the rice ranch of Wally B. Lynn near Williams, Colusa County, December 1964



University of California Charter Day ceremonies hold the attention of Governor Brown, UC Regent Edwin Pauley, and President John F. Kennedy, March 1962



Former President Harry Truman and Governor Brown confer at Brown's re-election campaign dinner at which Truman spoke in support of Brown's candidacy and against his Republican



Governor Brown welcomes Lyndon B. Johnson to San Francisco en route to the Democratic convention in Los Angeles, where he will seek the Democratic nomination for president

Fry: It says, "Pat Brown should be vice president."

Brown: Oh, this is my good friend over there in Alameda County, Abe Kofman, who was one of my appointees to the State Highway Commission. But I was prominently mentioned by a great many other people too.

Fry: There are some letters there that I pulled out of your papers on that, people wanting you to be vice president, and I couldn't tell how important it was.

Brown: At any rate, I don't know when the convention was, but I guess it was somewhat close to the convention, maybe four weeks before it I got a call from the president of the United States. Where was I when that happened? It seems to me like I was in Sacramento. At any rate, I got a call and I waited and waited and waited.

I thought, here it is, he's going to ask me to be the vice-presidential candidate. [laughs] So he got on the phone and asked how I was and all that sort of thing and then he went on to say, "Pat, I want you to nominate me. John Connally who's my old friend will present you and say some personal words about me and then you make the actual nominating speech that will put my name in nomination."

Well, I knew when he asked me to nominate him that he was eliminating me as a person for vice president. I was really very disappointed, although in my heart I felt that if I were president of the United States, I would want someone who was closer to me than I was to Johnson. I would want someone that had worked with him in the Senate. I really felt that Hubert Humphrey was the man that he would select. I think Humphrey was a very strong candidate and a strong vice-president; although I think that if I had been selected as vice-president, I think that I would have made a better fight for the presidency than Humphrey [in 1968]. I don't know whether I would have been as loyal to the president as Humphrey was.

I've always felt (and no one's ever said this to me, although in conversations I had with Humphrey he indicated it was true) that he had a personal talk with President Johnson and Johnson said to him, "Now, Hubert, I'm the president of the United States. I'm going to make you vice president. I can name anybody in the country. I will talk with you. I will discuss things with you. I will ask your advice. I will do everything I can to give your vice presidency the greatest dignity and the greatest exposure that I can. But once I've made a decision, I'm going to demand of you loyalty. You're going to have to subordinate your own views to mine in the last analysis and support me. If you do that, if you make that commitment, I'll make you vice president."

Brown: I'm sure that Humphrey made that commitment and as a result of that, I think that Humphrey was tied down in connection with the Vietnam war; he could never criticize the president on it. Although Humphrey's instincts, I think, would have been for terminating that war back in '64 and '65 when the kids were beginning to raise hell about it. He never told me that. I wouldn't want it to be thought that he told me that, but in a discussion with Humphrey one day, I said that to him and he said, "You're not far wrong."

He would never divulge that confidence. One of these days, if Muriel Humphrey ever writes her memoirs, I'll bet she tells about that.

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Brown: I always felt inferior because I hadn't gone to the university or college; it always gave me somewhat of an inferiority complex with people that had gotten their doctorate of philosophy or had graduated from Harvard or Stanford Law School or something like that because they were beyond per adventure superior law schools. Of course, I had worked all day long and gone to law school at night which was a very limiting experience as a lawyer, but, on the other hand, I had much great experience in the actual world of everyday living by working for a blind lawyer and then getting into politics and leading the fight.

I also did a lot of postgraduate work at the University of California Extension Division and things like that. But those were big classes. They met at the old Elks Club on 540 Powell, so there was no room for discussion of any kind. You could ask questions. But they had good lecturers. They had a fellow named Gattel from the political science department. He was the head of poli sci department over there, and then I took a course in the World's Great Books and another course from Brother Leo. Brother Leo was a remarkable teacher. He would read this poetry with enthusiasm and he was masterful. Then I took a course in philosophy. So I took a lot of units of work, but it was awfully hard to dig into with the other things I was doing. But I read a great deal too.

Fry: There's a question in my mind here. You didn't feel inferior in the knowledge you had accumulated?

Brown: Right, and I always felt my judgment was pretty good. You've got to remember that during the eight years that I was governor, I was a practicing Catholic. I've told you that before and [I was] sincere. I enjoyed it. I went to church every Sunday. I went to confession. I went to the sacraments and I wanted to do the right thing. I don't know where I got it, but somewhere along the line, a long, long time ago I made up my mind (and I've told other people), in politics you

Brown: can have either fame or fortune and I determined at all times I wanted fame. [By] fortune, I mean making money. I was never seduced or even tempted by any monetary considerations as governor.

I'm not boasting or anything like that, but I had people that offered me opportunities to get into things without any quid quo pro. You get friendly with people and they make so much money that they like to get you to be a little closer to them, not because you can do them any good but because contact--they've got all the money in the world and knowing the governor and having the governor at their son's bar mitzvah or a dinner party, that's the way you can repay them. But I never got into a single, solitary--except with Mr. Swig here at the hotel. He put me in a building in Houston. Bernice and I put thirty thousand into it and we sold it for sixty; we doubled our money. But Ben would never take anything. He would never take an appointment. I wanted to put him on the board of regents of the university. He wouldn't take it. I wanted to appoint him to the Harbor Commission and he recommended that I keep Cyril Magnin in. He did ask me to appoint two or three people as judges. He forgets about that. Everytime he sees me he'll say, "I didn't want anything," but he did. There were one or two judges that he recommended to me and I appointed them.

Then the best one that he did or the one that he used the greatest force on was my brother Harold whom I put on the municipal court. Ben wanted me to put him on the appellate court, and he really shoved me on that one. I'm glad I did because this made my brother's life much happier and made my mother happy, too, to have her other boy on the appellate court. Now, my other brother Frank, for whom I didn't do very much, he always felt very hurt about it. But he didn't work for me like my brother Harold. He was always strong on advice, but short on action. He was the youngest, and we all kind of babied him. So that's that.

Fry: At any rate, these three people whom I am presently interviewing in Washington (Christopher, Dutton and Champion) seem to be terribly capable and intelligent--

Brown: Well, they've all moved into top places. Gee, they're the number two men in both Health, Education, and Welfare and the State Department. Of course, the other man (Dutton), of course, he's representing Saudi Arabia. He's made millions of dollars. Fred was the smartest--well, I wouldn't say he was the smartest of the bunch. They were all three--if you had to measure their I.Q., but Fred Dutton was more abrasive. He was more sure of himself, less contemplative in his view of things. He makes snap [clicks fingers] judgments, and a little bit less idealistic if I can use that term. Fred used to take out my secretary when I was attorney general--Adrienne. I always felt that he got close to Adrienne so Adrienne would influence me in some way, although he could have liked Adrienne very much because she was a very attractive girl. You never met my secretary, did you?

Fry: No, I never did get to know her.

Brown: She was with me for twenty-three years. Then there were other people that took out Adrienne too. [chuckles, lowers voice] One fellow, a judge down in Los Angeles, Larry Rittenband, he took her out and when I went to his testimonial dinner after I had appointed him, I said, "I appoint him not only because he was a graduate of Harvard, had excellent grades, had a wide trial experience here in Los Angeles, was well-liked by his friends, but he had the good sense to take out my secretary who influenced me a great deal. I thought he also used good judgment!" [laughs]

The other day he married somebody and in the marriage ceremony he said, "And I now, by the grace of God and Governor Edmund G. Brown, and as a judge of the Superior Court of the County of Los Angeles, I pronounce you husband and wife." [laughter] It was really funny. I think everybody damn near died! It was really funny! So we better get back to our--

National Convention in Atlantic City; California Delegates' Friction

Fry: Yes. You were just telling me that you broke your leg during this--

Brown: Oh, yes, I was playing golf outside of Auburn in a new golf course and there was a great big hole. I was playing with my wife and someone else. This is just a little bit before--it was about six weeks before the convention. I stepped in a hole. They apparently had pulled a great big rock out. There was a great big hole. I stepped in that hole. I knew I had broken it because I heard it crack and I went to the doctor and he immediately bandaged it up and by the time the convention came around, I didn't have the brace on and I don't think I had to use a cane. I had some sort of a belt on it. But right almost to the convention, I was in a cast. I didn't want to limp up to the platform to make the nominating speech, and I damn near died. I was chairman of the California delegation in '64 because, for some reason, Johnson didn't want to run.

Fry: Do you mean in California?

Brown: In California. That's why there were two delegations on the ballot--the Brown delegation and the Yorty delegation in '64--because they were pledged to me. I don't know how they put this in. I guess I was just the chairman.

Fry: Both of them say "candidates expressing no preference." [Certified list of candidates for delegates, compiled by secretary of state.]

Brown: That was it, "no preference." He had to consent to being a candidate for president and he wouldn't do that. I never could understand why. I don't know why the hell he didn't do it.

Fry: What was Yorty's delegation in relation to Johnson?

Brown: Well, Yorty was an old friend of Johnson's. They were old, old friends together, and I imagine he embarrassed Johnson by fighting me there. But Yorty got very angry with me because I wouldn't put him on the delegation because he wouldn't pledge himself to vote for who I wanted--Wyman--for Democratic national committeeman. I told him I'd put him on the delegation, but he had to pledge to vote for Wyman and he wouldn't do it, so I just wouldn't put him on there so he got out and got his own delegation. But he didn't get very many votes. We trounced him. I don't know what the vote was. Have you got the results there?

Fry: Was he a Warschaw person then?

Brown: Warschaw was on my delegation. They were very--she was much closer--but she was on my delegation.

Fry: But if he wasn't for Wyman then he must have been for Warschaw.

Brown: I don't know who he was for. But she was on my delegation because she was back there and she made a great big to-do. She had a plane go by, "Put it in writing" or something, over Atlantic City.

Fry: Here's that correspondence starting "Dear fellow delegate," that she wrote to the delegation saying that you had told her you would be very happy if she would run and if she should win. [March 18, 1964] It's in the second or third paragraph there.

Brown: [reads letter] I think I did say that. Was Libby Gatov the other one?

Fry: Yes, that's right. She and Libby Gatov. Gatov won that, and then Wyman was running for committeeman.

Brown: We don't want two from Los Angeles. I wanted one from northern California. This had been traditional, but Warschaw didn't give a damn about that. [pauses to read telegram, June 17, 1964, supporting Warschaw for national committeewoman] Who sent this? [reads] Clair Engle and Chet Holifield, George Miller. She was a big contributor to all of their campaigns. [continues reading] Harry Sheppard, Cecil King, Harlan Hagen, John Moss, Everett Burkhalter, and Ronald Cameron. These were all very, very--they were the top-flight congressmen back there. Richard Hanna. But they didn't win. She didn't win.

Fry: Did you have to do very much to keep Gene Wyman from having somebody run against him?

Brown: No, they all liked Gene. There was no problem, although the fight on the Warschaw thing made her very unhappy. But I didn't have any trouble with Gene. Gene was elected without any difficulty at all. I think there were some votes against him. There was something that happened at the convention where Unruh fought me on the Mississippi delegation, whether to seat the Mississippi delegation. We had a fight back there. [pauses to go through papers]

Fry: On that whole southern California group, including Mosk, who were your "supporters"?

Brown: All of these people were my close supporters. They were all very close friends of mine, all of these congressmen. Clair Engle had been my friend and the whole--can I keep these or do you want these back?

Fry: I should have them back because they're too hard to find them again in the papers. Why don't we go on into that whole senator's fight? Let me just for the record say that the congressmen are the ones who sent this telegram on June 17, 1964 [to Bob Coate, who was vice-chairman of the California Democratic party at the time.]

Brown: They were all my friends but Carmen was a big money raiser. See, she was a multimillionaire. Her father was the Harvey Aluminum Company and they sold out for over a hundred million dollars so they were just--and big contributors to the campaign and personal contributors. They put \$100,000 into a political campaign so all of those people were for her. She was a very aggressive woman, a very intelligent woman. I always liked her, but I never--for some reason my political objectivity led me to support other people. Elizabeth Gatov was a very charming woman. Have you ever talked to Elizabeth?

Fry: Just briefly. We do have her memoirs.

Brown: Oh, do you? I understand that she isn't very well.

Fry: Oh, really?

Brown: I just heard it the other day. I don't know about it.

Clair Engle's Death; Senate Race

Fry: Oh, dear. Well, we might move on then to another big battle that occurred here. [tape interruption while Governor Brown gets a cold drink] What we can do is start with the whole tragedy of Senator Engle and how it was so difficult to determine whether he was really sick or not.

Brown: Well, the fact is that I got a call from President Kennedy and I can't remember whether I went to the White House or I was in Washington and he asked me to come in and see him. I went in to see him and he said on a very confidential basis, "Clair Engle has a tumor of the brain. He's been out at the Bethesda Naval Hospital. Of course, that's confidential information between doctor and patient and I'm not even supposed to know that, but in view of the seriousness of the illness I thought you as governor should know. But you can never let anybody know that I told you."

Fry: Could I read a couple of dates here? In August of '63, Engle had brain surgery and then in December of '63, Engle announced for re-election.

Brown: In August of '63; then it was after the surgery.

Fry: Then he announced in December of '63.

Brown: The president told me that it was malignant; President Kennedy told me.

Fry: It would have been before Engle announced--

Brown: Oh, it was before Engle announced, right; before he announced or anything like that. So as a result of that, I had to appear for some candidate to run. But Engle was my friend and I couldn't appear to be trying to oppose my very close personal friend. Clair and I had worked very closely together on legislation. We had gotten along very, very well, although philosophically he was more conservative than I was, and he was very close to Lyndon Johnson. Johnson had given him some great appointments in the Senate.

Well, I was in a great dilemma. I think I probably told my wife, but I didn't tell anybody else. I wasn't going to embarrass the President of the United States when he had given me something confidentially. So I went over to see the Engles. I went over to see Mrs. Engle and I didn't tell her that the president told me or she would have been infuriated. But I said, "Can you tell me how he's getting along?"

She said, "It's just a--everything's going to be all right. He's going to be fine and dandy."

But I talked to Clair and he couldn't talk. The tumor in the brain had affected his speech. He said, "Oh, I had a bad night. I didn't sleep."

Well, I couldn't really tell how he was. But I finally got hold of Alan Cranston.

Fry: Did you think that Clair Engle really knew and that Lu Engle knew?

Brown: I don't know whether she knew or not, but she certainly never admitted it to me. I think she did, but I think she held onto the hope that he would live long enough to be re-elected to the United States Senate or that he would get better. It's awfully hard to realize a person's going to die, so I always gave her the benefit of the doubt, although she never forgave me. If you ever talk to me, she'll tell you that I was not supportive of her husband--which I wasn't.

Fry: I did talk to her. It sounded like she just didn't know and the doctor really hadn't levelled with her.*

Brown: Maybe she didn't. I could believe that. If you talked with her, I could believe that. I never knew. But she certainly was in a very bad way. Now, I can't give you the chronology of the dates between August and September, but he announced, and I tried to urge him subtly not to run again. Then two of my great friends went back there and saw him; Jerry Waldie and Tom Carrell came back, and they had a press conference and said he was okay.

Fry: I think Cranston was one who talked to him.

Brown: No, Cranston was controller, and you remember I made the commitment to Cranston a long, long time ago that if the opportunity ever presented itself, I would support him for the Senate because he got out of the fight in '58 for unity purposes.

Fry: So he didn't go back [to see Engle]?

Brown: He didn't go in '58. That's right, he didn't run. I wanted to myself, between you and me, I would have loved to have gone to the United States Senate in 1964 and I could have run. I would have had a free ride. If I was elected--and I probably would have been, because I would have had all of the liberals from Glenn Anderson because Glenn would have been governor then. I had defeated Nixon. I was at the height of my glory, but I had made this commitment to Cranston in '58, and I felt that I had to live up to the commitment. Now, this may seem unbelievable to you but it's the truth.

There was one other consideration too. I didn't know what would happen to all of my loyal supporters if I went into that race. Anderson and my campaign, they never got along very well. Well, they'd gotten along, but he would have brought in his own people and my people would have gone out. So when I weighed all of those considerations

*See interview with Lucretia Engle in Political Advocacy and Loyalty, Regional Oral History Office, 1981.

Brown: I called Alan and I said, "Alan, Clair is very sick." I didn't tell him where I got the [information] but I said, "Take it from me, you've got to run against him. That's all there is to it."

Which he did and I think we had a convention, it seems to me in February, and Clair spoke over a loudspeaker, but in halting language and everything else.

Fry: [gives Brown papers] Somewhere in your papers I found that. It's a transcript of Clair speaking over the telephone. This was a CDC convention, I guess.

Brown: You haven't got the date? [pause to look through transcript]

Fry: Up in the corner it says February 22.

Brown: Yes; this was the CDC convention but they didn't nominate him. They turned him down, and they supported Alan Cranston.

Fry: So at any rate, Clair stammered and stuttered?

Brown: Oh, yes, it was pitiful. People kind of cried when he got through. It was really sad.

Fry: But you did mention before I interrupted you that other people close to you went back to visit Clair Engle also. It may have been Libby Gatov.

Brown: But I don't think any of them knew how serious it was. When did he die? He died in August, I think. He was defeated for the nomination by Salinger.

Fry: He withdrew from the race on April 28 and he died on July 30.

Brown: Then Salinger got into it at the very, very last minute. He damned near didn't qualify.

Fry: Now, there's one other person who got into it, and that was Mosk who withdrew on March 4. Mosk was the one that was showing so well in the polls.

Brown: Was he the attorney general?

Fry: Yes.

Brown: I wonder why he got out of it. I don't know why.

Fry: I think you told him you'd appoint him a judge?

Brown: No, I don't think I did. I don't think I told him that. Maybe I appointed him a judge later, but Mosk was trying to get somebody to run against Cranston. He didn't like Cranston, but I can't remember--

Fry: In August you appointed Mosk to the state supreme court.

Brown: Oh, did I? I didn't make any commitment to him to get on it, but I think Mosk, I had been advised that he had some difficulties.

[Page 520A of the transcript is under seal until May 24, 1987]

[transcript resumes]

Brown: So I was afraid of that and I wanted to elect a Democratic Senator, and I had made the commitment to Cranston anyway. So I couldn't support Mosk, even though Mosk may have been running strong in the polls.

Fry: So then suddenly Pierre appeared.

Brown: Pierre appears on the scene and runs, supported by Mosk and supported by Unruh. They got out and supported him and he beat Cranston, who made a rather colorless campaign. Alan is not a very sensational guy. But that hurt me later in the campaign against Reagan. Because I had supported Cranston all the way out. I was for him all the way and any time a governor is repudiated by his own people, he becomes very vulnerable. So the Unruh-Mosk combination that came in there and supported Salinger over Cranston, they really hurt me very much and I still bear a resentment to it.

But I appointed him to the supreme court. I can't remember why I did it. Mosk I always thought had a very fine mind and a very fine brain. He was always very friendly to me. But there was something always a little bit--I can't identify it. But not completely open. I felt there was somewhat of a conspiratorial mind that he had.

Fry: Just a piece of him that you couldn't trust?

Brown: I can't--he'll never read this, I trust, but I never really felt that he was extremely friendly. Although we got along very well and everything else.

Fry: That is Hale Champion's memo to you when Pierre Salinger first arrived and entered at the last minute.* He spelled out the alternatives that were then open to you and what you could do about it.

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*Memo dated March 24, 1964, in Governor Brown's papers in The Bancroft

Brown: Then, of course, he got beat by George Murphy later on, and he [Salinger] smoked those cigars. One other thing that we should notice in that campaign. He travelled with Johnson. Johnson had tremendous crowds throughout California.

Fry: Who travelled with Johnson?

Brown: Salinger, after the primaries. Still there were no coattails. Johnson couldn't pull Salinger in with him. They had their arms around each other. One of the the things that hurt Salinger, he supported Proposition 14 too, the Rumford bill, opposed it vigorously and said, "If you vote for that, don't vote for me." He went all the way out on it and that hurt him terribly like it hurt me later on.

I can remember being at the campaign headquarters or a television station that [primary election] night. Unruh was just gloating over having defeated me and elected Salinger. I'll never get over that, Unruh's a very earthy guy and he can't hide his emotions.

Pierre Salinger: Appointment to the Senate and November Campaign

Fry: The primary was June 2, when Salinger won and knocked out Cranston. Then Engle died on July 30, and on August 4 you appointed Salinger to the Senate seat. Why did you do that? Why didn't you appoint somebody who was neutral?

Brown: I should have done that. In retrospect, if somebody asked me today-- if I had to do it over again, that's what I would have done. But I had opposed Pierre, and Pierre had been an old friend of mine. He had been very close to me. When I was running for attorney general he was with the San Francisco Chronicle and he wanted to write a story on the county jails of the state, and I got him put in jail. I called one of the sheriffs or one of the judges or something and said, "Put this guy in."

He and I have been friends for years. I knew his mother here in San Francisco and he had been a reporter on the paper. When he was with Kennedy he had been very friendly to me. I liked Pierre, so I thought that would help him. But as a matter of fact, it hurt him, because immediately the question arose as to whether he was a resident of California and they fought the residency question about whether or not he was a resident, whether he had registered in Maryland or Virginia or some place when he was living back there and he had been away from California all these years. So they made him a foreigner.

It was a mistake. I think that's one of the things that hurt him too very, very much...

Brown: He had taken some blonde down to Mexico City and Parker who hated Mosk who was the attorney general, had pictures of Mosk getting on the plane and I don't know if--it probably would have helped him like it did Senator Reagan in Michigan if anything like that developed.

Fry: This was the chief of police in Los Angeles?

Brown: Yes. I never saw the pictures but people tell me about it from very reliable sources in the police department. [They] said he had seen it. I got it (I can't remember from whom) but from sources that were not hearsay that they'd seen him with this girl who was kind of a-- I think she was a striptease dancer at one of those places on Melrose or the Sunset Strip or something and Stanley was having a little affair with her.

Brown: But Murphy in the campaign came through as a nice, pleasant guy, looked well; he was like Reagan, and he confirmed one of the things that I've always felt: that personal appearance plays a big part now by reason of television in the election of candidates. I think my son did so much better because he was so much more attractive looking than Evelle Younger.

Fry: This carpetbagging question about Pierre: I think it had to be ruled on by the attorney general who was Mosk.

Brown: Right.

Fry: Could you tell me if at that time you had the power, because this was an iffy question, to say to Mosk, "Look, we've got to get this guy out of here or this campaign is going to split us apart."

Brown: No, I couldn't have done that. I tried to get him to stay out of it, but they wouldn't do it. Pierre had been with Lyndon Johnson, and I just couldn't do it. That was all there was to it. I would have liked to have gotten him out because he split the party and we lost that Senate seat for six years as a result of it.

Fry: Did you have any indications afterward that you can recall as to whether there was a backlash against Pierre already being in the Senate seat at the time of the general election?

Brown: I think the people resented the governor taking away their choice of deciding who should be the Senator. I think that hurt Pierre, too. He gave the opportunity to raise the carpetbagging question, which they did and accentuated it because they fought him on the floor of the Senate. It became a cause celebre back there, and he had hurt himself--that and Proposition 14. And then his own appearance. He had pictures smoking that cigar, and in the debates Murphy came through as a nice guy and Salinger, a little shorty; a fat, little shorty guy. He didn't look well or anything.

Fry: Two other questions then about Salinger's race. You also lost your good old political faithful servant, Don Bradley, to Salinger.

[Page 522A of the transcript is under seal until May 24, 1987.]

[transcript resumes]

Fry: There was a lot made in the newspapers by the political reporters about the fact that this was a big split or a feud that was arising or something between you and Don Bradley because Bradley didn't sign on for Cranston as your candidate.

Brown: Well, it was. It was an act of disloyalty to me by Bradley, and one of the things that I never should have forgiven because it hurt me. It hurt me politically and it hurt me from a friendship's standpoint. He did it even though in the '62 campaign he had worked very closely with me. And yet in '66 when I was running for re-election I retained him and employed him again and paid him a hell of a lot of money, paid him \$100,000. Of course, the weakness of my character is that I forgive. I shouldn't be so forgiving. I should be a mean son of a bitch.

Fry: Do you really believe that?

Brown: I really believe it hurt me. I think you have to be stronger in politics. Jerry's much tougher than I am in that respect. When people were disloyal--he fired that fellow Lorenz that wrote that nasty book about him and all that because he was afraid that Lorenz would do something that was stupid or something.

Fry: I found some papers in your papers about Salinger's mother. It looked like somebody had been doing a lot of research on his mother, who I guess was pretty much of a left-winger?

Brown: I think she was. Pierre was part Jewish and part Catholic. I think his mother was the Jewish one and his father was a French Catholic.

Fry: It wasn't about her Jewishness. It was sort of about her--

Brown: She had been very radical. She had been associated with a very left-wing group. I'd like to see that though. I don't remember that particularly. You really do a lot of preparation before you get over here, don't you?

Fry: Oh, yes. I've prepared for this interview twice now.

Brown: I'll be a better patient from here on out, my dear!

Fry: All right, I've got that on tape! [looks for Salinger papers]

Brown: Well, I don't have to see it.

Fry: I'll send it to you later. Anyway, the question on that is I thought maybe since I found it in your papers and it was something done in your office that at one time you actually were considering coming out pretty strong against Salinger.

Brown: When you get into a political campaign you want to win it. And you win it not only affirmatively but negatively, although I don't think I would have hurt Salinger. I don't think that I felt that strongly about Alan versus--

Brown: Don was never faithful to me. Don was a paid political minion. He was a fellow who I never felt had any great moral principles or anything else, but he was a good technician, a good craftsman, in the field of politics and raising money. I got him into it, but he was never loyal to me. He and Clair Engle were very, very close. He was Engle's campaign chairman in '58, not mine, and he and Clair were very, very close; but he was never close to me.

Fry: Here's my notes on that document. It's a November 14, 1964, letter in a file called "Political-Senate." The letter is from Renee P. Lascroux to Pat Brown regarding Pierre's mother's associations and scandals in the French community in San Francisco, [continues reading] also a drunk driving charge and evasion of income taxes by Pierre.

Brown: We didn't use that at all.

Fry: It looked like kind of ammunition that you were holding.

Brown: Yes.

Rumford Fair Housing Act: Passage and Ballot Measure

Fry: Then another thing was the civil rights issue, not just in the campaign but it was just in the atmosphere everywhere then.

Brown: Oh, yes, we had the riots in '65. And the Free Speech Movement over at the University of California.

Fry: Right, right after the election there was that. So I wondered if we could back up and have you talk about what you did as governor for the Rumford bill, and if you really thought it was a necessary and effective piece of legislation (that's two questions) at the time it all began in the assembly.

Brown: I worked very, very hard for the Rumford bill. You've got to get my mental attitude at that time. I really didn't want to run again. I'm not so sure of my own thoughts on the matter. But I had been elected and re-elected. I wanted to do the idealistic thing and I felt that the blacks not being able to get houses in the white community's apartments was an absolute disgrace and I worked like hell. I can never forget the fight on the floor of the senate and the assembly with George Miller helping to get that Rumford bill passed. We got it through at about 12:00 at night on the last day of the session, and I signed the bill immediately. I worked very, very tough on that and I'm very happy that I did. I felt very strongly about it.

Fry: Describe what you did.

Brown: I'd call these legislators in and I would fight with them. Outside of the water project, I don't think I've lobbied any harder for anything than I did for the Rumford bill. I really put all my gubernatorial pressure on it. I can't tell you specifically who I talked to or what I did. You'll have to get that from somebody else; some of the people

Brown: that were my lobbyists up there will tell you. But it was with great elation--late at night I was in the governor's office, and they came down and told me that Rumford had passed and I signed the bill.

Then when those people put the initiative on, I did everything to get them to not put it on the ballot, telling them that it would cause blood to run in the streets. I haven't seen the literature on it, but I'll never forget going to the California Real Estate Association's convention [chuckles] and, God, the cold way they received me. But it didn't bother me at all. I really rather enjoyed it. I liked people to like me, as you probably can tell. But in this case I just enjoyed taking them on because I felt they were bigots.

The Jewish people didn't support me because Jewish people have these apartments and they were afraid that if blacks moved into their apartments, that they'd lose it. So I lost the liberal Jewish vote on that Rumford bill. The Rumford bill went over by about seventy to thirty. It went over more than this.

Fry: Was that in the legislature?

Brown: The Proposition 14. That went over bigger, almost two-thirds vote [to repeal the fair housing act].

Fry: Yes, it was four million-something to two million-something.

Brown: Yes. I went up and down the state fighting it, and I lost support in unions. I'd walk into a union hall and they'd say, "How do you stand on the right for me to lease my own home to who I want?"

I said, "You can lease your own home, but if you have units of more than four then you can't do it. You can't deny it to a person by reason of race, color, or religion," and the union people would walk out on me.

It was a big contributing force in my defeat to Reagan in '66, and he said he'd repeal it. But they never repealed it. It's still on the statutes. Then after it was done (not like Jerry with Proposition 13 embracing it, and going along saying, "this is the law, the people have spoken") I said, "It's unconstitutional," and we went into the supreme court of the state of California and it was declared unconstitutional, and it went to the Supreme Court of the United States and it was declared unconstitutional.

But you've got to remember that my attitude was different then. I had been governor six years, and I wasn't sure whether I would run again. As a matter of fact, I enjoyed the freedom of doing what I wanted to do and taking positions that I felt were idealistic. I think I tried ordinarily to do it. I think, for instance, that it's awfully hard to think that you're a political whore and I don't think I was;

Brown: I really feel I did things because they were the right thing to do. But there were times that I retreated and compromised and withheld my real feelings on it. But with Rumford and Proposition 14 I did not, and I never retreated on Cranston or any of those people. That's what used to annoy me, when they'd say I couldn't make up my mind. "I couldn't make up my mind" was crazy; I went too far for a politician. My son's completely different. He's far more pragmatic than I am about things in my opinion; that's my judgment of the two of us.

Fry: Do you wish that you had been more pragmatic at this point?

Brown: No, I don't. I'm glad I did. I'm glad we had 14 declared unconstitutional. I'm sorry it went over. It told the black people of the state of California, "The whites don't want you to live next to them." I think it was very devisive, and I think it played a great part in the Watts riots later on.

Fry: The frustration?

Brown: The frustration. I talked to a lot of blacks afterward, and they were deeply hurt by the overwhelming vote that Proposition 14 got. No, I don't think that Proposition 14 was essentially an anti-black vote. I think it was essentially the freedom to use your own property. It was more a--

Fry: An anti-government memo?

Brown: Anti government telling you what you had to do with your property. You own your own property, you work for it, you fight for it and, by golly, you can rent or lease it to anybody you want. It was part of the revolt against too many governmental controls. There was prejudice in it too and a selfish motive but it was not clear cut.

Fry: Let me ask you this. The Unruh Act--

Brown: The Unruh Civil Rights Act, yes.

Fry: I thought it covered housing.

Brown: It may have. When did that go through? That was a legislative enactment.

Fry: It was a couple of years before.*

*The Unruh Act of 1959 enlarged an 1897 law prohibiting discrimination in places of public accomodation to embrace "accomodations, advantages, facilities, privileges, or services in all business establishments of every kind whatsoever."

Brown: I don't know why we felt we needed this. It was felt that it was necessary that we do it.

Fry: In fact [laughs] (this isn't a law degree quiz that I'm giving you!) there was a nineteenth-century federal law that clearly prohibited discrimination in housing on the basis of race and color. So I wondered if there was some other reason for wanting this on the California statutes.

Brown: It set up a commission to determine whatever the legal rights may be. There was no place that you could get enforcement if you were a black and denied your right to live in a home. You probably could go into court but that would be expensive; it was long delayed; and this commission would be somewhat of a summary procedure. Cecil Poole, who was my legal secretary, he came up to Sacramento and he had a very difficult time finding a place to live and that was one of the things that made me angry. Here was this fine college graduate, well-mannered and with a beautiful wife and everything else, and they wouldn't let him find a place to live.

Fry: So whatever was on the books wasn't working.

Brown: It was more than that. This provided an agency where you could get some judgments against an individual and move into the house; you could find a place to live. So whatever the constitutional rights or the Unruh bill or anything like that, there was no tribunal where they could go, no forum where they could have their rights adjudicated.

Fry: When you were fighting for it so hard in the legislature, did you think about just by administrative action putting it under the FEPC commission?

Brown: That's where we put it.

Fry: But you could have done that without a vote.

Brown: How?

Fry: Didn't you have power?

Brown: Not over the FEPC. That was only for fair employment practices. That was only employment. It wasn't for housing.

Fry: You did not have power to stretch that over into housing?

Brown: No, no. To have an administrative tribunal tell you that you were guilty of discrimination and not renting your house to a black, no, you had to have legislation. This legislation was not just some symbolic legislation or something for the purpose of rubbing the land-

Brown: lord's face in the dirt. This was absolutely necessary to try to improve the lot of the Negroes. I still feel today that it's a hell of a lot better than forced busing and things like that, which I opposed with all my heart.

I'm trying to get my daughter, Kathleen [Rice], to use a little more judgment about these things, but she's another idealist. She'll probably go down to defeat on this forced busing. Now what they're going to do is break down all of the local school districts and move kids from one school district into another. It's going to hurt too. If they had come out with that report before the election it would have hurt Jerry very, very much.

What else have you got, my dear? We're going to have to adjourn.

Fry: The reason that I was asking you that was that on page 270 in Lou Cannon's book Ronnie and Jesse, he makes this statement: "The Rumford Act, as clumsy in operation as it was noble in purpose, had not provided that fair housing but the law retained symbolic value."

Brown: The Lou Cannon book was an adulation of Unruh and a put-down of me. The book was very disparaging of me. Have you read the whole book?

Fry: Yes.

Brown: I remember I used to get so goddamn mad reading that book that it would drive me crazy because it was so wrong in its analysis. As a matter of fact, I went back to Washington about four years ago, and he writes a story in the paper that Pat Brown came back with his hair dyed. I never dyed my hair in my life! Can you imagine? I didn't call him up. I just didn't like him. How many more sessions do you think we'll need to get through?

Fry: Well, you and I need two more. And other people on the staff are working on questions for you on water and on state finance and on you and the legislature.

Brown: Okay, you broke those up.

Fry: Yes.

Brown: Well, that's fine.

Fry: Because there's so much research.

Brown: With Jerry being re-elected governor, the Brown family will be in control of the state of California for a period of sixteen years. I don't think any other family in the history of this state will

Brown: have such a profound effect upon the life of the state, and you think of the appointments that were made to the supreme court and the lower courts. For better or for worse [chuckles], I think we certainly have left our mark--I almost achieved my boyhood ambition of being president of the United States.

Mississippi Freedom Delegation, Fair Practices Committee, Other
Minority Concerns

Fry: Going back to the 1964 national convention: when you got there, there was the big controversy there with the Mississippi Freedom Delegation.

Brown: I was on the committee.

Fry: You had had letters to you about that from other people, one of which was from Mario Savio, I noticed. [July 24, 1964]

Brown: Oh, was it? I never saw it.

Fry: I have it here and I brought you an extra copy.

Brown: In other words, they didn't want me to seat the Mississippi delegation.

Fry: Yes, they wanted you to seat the Mississippi Freedom Delegation.

Brown: Johnson appointed Governor Lawrence of Pennsylvania and myself to work out some sort of a compromise, which we did. I can't remember what the compromise was. We were going to let them sit in the back of the room, in the back of the auditorium, and maybe divide up the delegation or something else. So then we brought it back to the California delegation. I supported it. Unruh got up and fought it. He wanted to support the Mississippi delegation. He was badly defeated.

Fry: Do you mean the Mississippi Freedom Delegation?

Brown: The Mississippi Freedom Delegation. It was further evidence of Unruh's refusal to follow my leadership as governor.

Fry: At the time, I think that there was some big embarrassment about Unruh and his behavior at the convention when that vote was taken.

Brown: He looked very bad. In '64, Unruh had lost Kennedy. I had moved into the sacred circle of the presidency and he was not; Johnson regarded me as the number one person [in California]. Gee, I wish you could mimeograph some of this stuff and send it to me. I'd love to read it in my old age!

- Fry: Here's Savio's letter which was written in longhand, so I have typed off the text. I thought it was one of the best ones probably in there because it's quite articulate.
- Brown: God, you never hear of Savio anymore, do you?
- Fry: It was about five months after that letter was written when they had the Sproul Hall sit-ins.
- Brown: Well, let me read it later because I'm not going to have time.
- Fry: You can take it with you. What about the sentiments inside your own delegation on this seating of the Mississippi Freedom Delegation? Do you remember having any trouble getting them together?
- Brown: No, no, we had no trouble at all. There was no lobbying. I got up and made a speech and told them this was a compromise. This was a very friendly delegation with the exception of--kind of the last hurrah for Unruh, between you and me, although it was also my last hurrah almost too because two years later I was badly defeated. We ran into the Free Speech Movement at Berkeley and we had the Watts riot in '65, so my troubles began. I was like the shah of Iran. I had lots of difficulties.
- Fry: There's just one other thing that I want to take up on civil rights and that is your connection to the California Committee for Fair Employment Practices. I thought maybe they had helped initiate the Rumford Act.* Do you know? They became the California Committee Against Proposition 14 then later on.
- Brown: Oh, did they?
- Fry: Yes. Do you remember that organization?
- Brown: No, I don't. I don't remember it, but I remember fighting the initiative personally. I think I took the lead in that and appointed the committees and got everybody moving and raised the money and everything else.
- Fry: Bert Corona, who was the only Chicano on the state steering committee for No on Fourteen, was put in charge of voting registration for the whole 1964 presidential campaign in California. Do you remember Bert Corona?

*See interview in this series with William Becker, who was executive secretary of the California Committee on Fair Employment Practices before he became Governor Brown's assistant for human rights.

Brown: Yes, I remember Bert Corona. He was a very prominent Mexican American, a very fine man too. I haven't seen him in years.

Fry: And the Mexican American Political Association.

Brown: Yes.

Fry: My question is, how did the Chicanos help on 14? Do you know?

Brown: They didn't help very much. As a matter of fact, I think we lost it in the Chicano districts, between you and me. They're anti-black too. It's a very peculiar sociological and psychological factor.

Fry: It's very classical.

Brown: I've come to a conclusion; I've been studying sociology. Even in Hawaii where all of the groups mix, blacks don't seem to mix with other races. The fact is that the black to many whites is not beautiful. I mean, whatever beauty is, it plays a great part in whether I like you and whether you like me. The only trouble with this theory is that no one agrees on what whites' "beauty" is.

Fry: Yet the handsome or beautiful black people, they meet with a lot of terrible attitudes toward them.

Brown: Some of the blacks are really beautiful and handsome.

Fry: But they still have trouble with discrimination in housing and jobs.

Brown: Well, that's because of the inherent prejudice. I was riding down on the plane with a lady friend of mine about six months ago and I was looking at the stewardess and she said, "You're looking at her very lustfully." I said, "You're reading me wrong. Maybe I look that way, but do you know the thought that was going through my mind? The thought that was going through my mind was, 'That girl is so beautiful, I would love to have her marry Jerry.'" Isn't that funny? I was thinking of Jerry. Okay, well, I've got to write that damn speech and I'm worried about it.

Fry: Well, I thank you for making time again.

Kennedy and Johnson; Federal Appointments

[Date of Interview: November 22, 1978]##

- Fry: Before we pick up a few things on '64, I wanted to go back over the Kennedy assassination. We didn't talk much about where you were when it happened and how you found out about it and how it affected state government here.
- Brown: [Pat lights a cigar] I was in the governor's office when they brought the notice in to me that he had been shot. We waited a little while to find out and then we heard that they had pronounced him dead, so I went outside and in a rather emotional--I was really very, very saddened by it--I made an announcement to the people that he died. That was it. It was one of those things. I was completely shocked. It was one of the most shocking things that I've experienced in my entire life, to think that he had been shot, because I had spent a little time with him only a few months before. We had gone up to Redding and the dam up there and the Trinity River. Then we went down to Lassen National Park and he and I stayed in the lodge there together. We had a chance to talk. (I'll never forget him having his picture taken feeding a deer; it was a great picture and he enjoyed it very much.) Then I think we went down to dedicate the San Luis Dam and then we flew in a helicopter into Yosemite National Park. This was in 1963, I guess, and it was a great trip. I had an opportunity to spend quite a bit of time with Kennedy, and he and I got along very, very well on that trip. It was really a lot of fun.

There was one trip (I can't remember where it was, maybe it was during the campaign but it doesn't seem to me like it was) where we were helicoptering to the Los Angeles Country Club. He was going to stay at the Beverly Hilton Hotel. We ran into fog and they couldn't land at L.A. Country Club, so we came down in a vacant lot on Wilshire Boulevard and thumbed a ride to the L.A. Country Club.

- Fry: You did? Who stopped for you?
- Brown: We had the secret service men and everyone else. It was quite an exciting thing. There should be some pictures around the L.A. Country Club, although pictures of Democrats in the L.A. Country Club would probably be like having a picture of Stalin or somebody.
- Fry: When you thumbed a ride, would this have been picked up by the Los Angeles Times?
- Brown: Oh, yes, it was picked up by all of the papers. So you really ought to be able to find it, but that was a very unusual experience for a president.

Brown: Then I went back to his funeral with all of the governors. We met the night before the funeral at the executive offices across the street from the White House and Johnson made a speech that night that was really a very, very emotional speech. He said he had been selected by Kennedy to be his vice president and that the people had elected Kennedy and that he [Kennedy] had a program which he [Johnson] intended to do his level best to carry out. It was one of the truly great speeches that I've ever heard.

He said one other thing which is somewhat interesting that should be recorded. He was late for the meeting, and here were the fifty governors. As he walked in, he said, "Gentlemen, I'm late. I want to apologize because I don't intend to keep governors waiting," but he had just met with General De Gaulle. Our relations with France and De Gaulle had not been too good and he felt that he should spend some time with him and he hoped the governors would forgive him.

He said, "By the way, I've invited De Gaulle to come to the United States in May and he's accepted." So after the meeting with the governors, I walked out and the press was there. This was an executive session in one of the rooms in the executive offices of the White House. The press came up to me and they said, "What did he say?"

I said, "Gentlemen of the press, this was an executive session. You better get whatever is to be said from the president himself, but by the way the president has invited General De Gaulle to come over, and he's accepted." Gee, the next day there was a story in the paper that De Gaulle had accepted the invitation to come to the United States. I didn't think anything of it.

A few months before Johnson died, he invited me. I spoke at the University of Texas (political science), and afterwards Mrs. Johnson invited me to go to the ranch. I went over to the ranch, and as I got there he was waiting with a scotch in hand. He had called on the radio-telephone and asked me what I wanted and I told him I wanted a scotch, so he had it ready for me when I got in. I got in the back of the car with Price Daniels who was then associate justice of the supreme court of Texas and Johnson and Lady Bird and Mrs. Daniels.

And he said, "Pat, goddamn you! I've never told you this but you son of a bitch--" here I am at his place and I thought he was kidding at first--"I've got to tell you. I've never told you this before, but you ruined our relations with France."

I said, "How the hell did I do that, Mr. President?" (He wasn't president then, of course.) Then he went on to recount the story.

Brown: He said, "The story appeared in the paper. The very next day, the first day I'm president of the United States, right after the funeral, I get a call from the French ambassador. He came over and he said, 'General De Gaulle wants you to know that if you treat him like this so cavalierly that it's announced in an offhand way he has no intention of coming to the United States to visit you during your entire term as president.'" He said, "He never came and you're fully and completely responsible for it!" Isn't that an interesting story? Gee, it was really funny.

This was after he didn't run. The next day he couldn't have been nicer to me. He had had a few drinks that day, but he really shook me up. I didn't realize that I had "popped off with your big mouth." He was half-kidding, but he was half-serious too. I was glad for history to know that I ruined the relationship between the United States and France!

Fry: After Johnson came in, did you have better or more voice in federal patronage?

Brown: Kennedy always gave the appearance of consulting me on all federal judicial appointments--federal marshals and major federal appointments. He would call me. For example, right after he was elected he wanted to know who I favored and I named two people, Libby Smith for treasurer and Ed Day for postmaster general, and he accepted both of those. He wanted to give California some recognition. He really wanted them too. I don't know whether I would have recommended those two, but they were both close friends of mine and so I went along with both of them. But all of the federal judges, he insisted upon them visiting the governor and getting my approval.

Clair Engle, the United States Senator, of course, was the federal patronage distributor, traditionally and otherwise. But they had to be approved by me. There was one case, a judge (I can't think of his name), but at any rate, I really didn't want him. I liked him but I thought he would make a terrible judge because he was an opinionated southern Democrat who really was very anti-Negro, and I fought him. But Clair wanted him. Apparently, he had been Clair's close friend. So finally he won, which indicated to me that it was really ceremonial for them to ask me because they didn't pay any attention.

But on the other hand, there were some judges that I recommended like a man named Ferguson from Orange County that I put on the superior court, and the United States marshal and postmaster in San Francisco. Those were all people I suggested. The Democratic party would sit down and consider them, and Johnson paid attention to it.

Fry: Did Johnson pay more attention to your suggestions for appointments than Kennedy?

Brown: I can't remember. They were both very, very good. I had no problems over patronage. I had plenty of patronage in my own state, so I wasn't too concerned about it. I felt that it was Clair Engle's arena anyway, so I didn't move into it. But my relations with Johnson were better, irrespective of patronage.

Johnson paid more attention to me. He invited me and Bernice to stay at the White House on one occasion. He invited me back to two or three state dinners. Kennedy had never invited me during the three years he was president, although I had seen him in the White House several times. I had no trouble seeing the president, although I had no real business with him.

Of course, at the time of the Cuban crisis I was the vice chairman of the civil defense committee of the governor's conference. Rockefeller was the chairman of it and I was the vice chairman. We met the last week of the Nixon campaign, the '62 campaign was right at that time, and I called off all the speeches and flew back to Washington to meet with the president and the secretary of defense and the joint chiefs of staff where they briefed us on the problems that they had and told us that we might be at war with Russia and that the Cubans, if they had the missiles (they didn't think they did) that Florida would be in difficulty and we better prepare our civil defense.

I think it really helped me in the campaign against Nixon, to stop campaigning. Nixon was beginning to move in the last week. But this gave me national prestige, flying back there. I wasn't making any speeches and the whole world was centered on the crisis rather than on the election in California, so I think the good Lord had his arm around me or Nixon might have defeated me.

Comparing Notes with Nelson Rockefeller

Brown: I'll never forget, however, seeing Rockefeller (this was in '62) and as I left the room that day I said, "Nelson, don't worry about Nixon. I'll take care of him. You don't have to worry about him. You can just forget about him if you want to run for president." He looked at me and I'll never forget. He looked at me and he couldn't hardly figure out what I meant by it. He never could understand my somewhat frivolous attitude about these things. Nelson

Brown: had a hell of a sense of humor, he really did. He invited me down to his place in Washington. He had a beautiful place down there and I stayed with him one night. We had a nice dinner and got along very, very well.

He and I, as a matter of fact, during the first four years of the administration, we compared notes all the time on things that we felt were good, like on withholding. He put withholding over in New York and through a Republican administration and he recommended that I do that. He said, "It will save a lot. You've got a whole lot more money. It's much easier to collect. You're able to estimate your income a whole lot better." But I couldn't put it over. It was one of the issues in the campaign with Governor Reagan later on. My good friend Alan Cranston that I've supported opposed me which turned out to be a very, very good thing, of course.

Fry: Cranston when he was controller?

Brown: He was controller opposed to it.

Fry: Why?

Brown: I don't know. He came up with some silly reason. Alan, every once in a while, shows a lack of judgment in my opinion.

Fry: How much influence did Rockefeller's ideas have with you? This will be something that future historians would want to know, on such things as withholding. Were you already kind of considering it?

Brown: I don't think I had been considering it. He told me about it, and I thought it was good. On the other hand, all of his capital expenditures were made out of the tax revenues of New York. I told him that I thought he should use bond money, that bond money was very cheap then and that he should borrow the money because it was for future generations. He took my advice on that even though he was an international banker and went to bonding rather than pay-as-you-go on some of these long life projects that they had.

We used to kid each other. He'd come to the governor's conferences, however, with a retinue of about eight people with big position papers and everything else, and I'd come back there with maybe one person and sit there, and I was the governor, after '62, of the largest state in the union. He had everything well-prepared and documented, and a press secretary would hold press conferences and everything else. I was kind of--I didn't try to make any great to-do over the fact that I was governor or anything like that. Sometimes I think it was a mistake. I think you have to identify yourself as a political figure. The governor of Georgia would walk in with two big, tall state policemen with Sam Brown belts and hats and everything else. I never had anybody like that, any bodyguards or anything else.

Fry: No trappings?

Brown: No trappings at all. I think that people want that if they're younger. Jerry has some trappings, but he has something else. He has an unusual approach to problems which gives him an interesting public image, which I lacked.

Fry: And his simplicity of lifestyle is sort of his own individual trappings.

Brown: That's his own trappings, that's right.

Fry: Let's see what else we lack on 1964. I wanted to know, speaking of Rockefeller, in the Rockefeller and Goldwater battle in the primary-- Rockefeller came out in favor of fair housing.

Brown: Oh, did he in California?

Fry: Yes, in California. I was wondering if you could remember, way back like in February or so, what your perceptions were of Rockefeller?

Brown: Well, I liked Rockefeller. I always felt he was really more of a liberal than a great many Democrats that I had met in Congress and other places. Rockefeller was a man who was willing to invest in the public sector. I liked him very, very much. He had a pretty good sense of humor; he and I got along very, very well. There was no partisanship to it at all. At the governor's conferences, of course, he was somewhat private; he didn't get around too much.

In the '64 campaign, jumping from one thing to another, Johnson and Pierre Salinger campaigned all over the state together and Johnson won by over a million votes. I can't remember what the plurality was. I probably brought this out. Salinger tagged along right with him. But the coattails didn't do any good at all. Salinger lost to George Murphy, a very conservative Republican, which has always made me feel that coattail influence is grossly overrated. Although when I was governor, on the other side of the picture, when I was elected by a million votes, I carried both the senate and the assembly with me with four unknown Democrats defeating four very well-known Republicans. So it's awfully hard to measure.

Fry: There are other factors involved.

Brown: Apparently there are. You've got to have a good candidate with you. Clair Engle was a good candidate. He was a dynamic little fellow and ran a good campaign. Cranston and Betts, who were

Brown: elected with me, and lieutenant governor Anderson, I always felt were rather colorless political figures. Betts was a nothing. Cranston, of course, I always had a tremendous respect for his brain. Anderson was a cold guy. He had no really statewide public image. He was a pretty sound fellow. I never thought he could be elected governor. I thought he lacked something in his public attitude, but he was a smart, determined guy.

Campaign Finance

Fry: The other thing that we left out last time was our usual talk on the financial problems of the campaign. There were a lot in 1964 because that was when Cranston ended up in debt and Pierre Salinger ended up in debt. Cranston wrote in Fortune magazine afterwards that his campaign had cost about a million dollars and that at the close of the primary when he was beaten by Salinger, a \$332,000 debt had been left.*

Brown: He put up a lot of his own money in the thing. Cranston was an independently wealthy man, I think. I don't know where he got it, but he was wealthy. I'm sure he didn't get it from any of his public duties, but it was awfully hard getting money in the primary of that campaign, as I remember, for both sides. Johnson, of course, we didn't feel that he needed much money he was so far ahead of Goldwater in all of the polls and everything else.

Fry: Everybody had a different idea about where Salinger was getting his money. Do you think that he actually got some from the Kennedys?

Brown: I don't think he got very much from the Kennedys. He may have gotten some. He told me, by the way, that Johnson gave him the money to file, \$750 pulled out of cash. He gave it to him to file, although there were stories that Johnson was very mad at Salinger for leaving him and running for the United States Senatorship.

Fry: As far as you knew, were Johnson and Salinger on good terms?

*"A Million-Dollar Loser Looks at Campaigning," November, 1964.

Brown: They were on good terms, but Salinger never felt secure with Johnson like he did with Kennedy. They had kind of grown up together.

Fry: If you look on page 2 of that outline, there's some notes about the finances.

Brown: Yes. I remember we had an agreement that was somewhat criticized that the winner in the primary would raise money to help the loser pay off the deficit and we both worked together on it. How it ever worked out, I haven't any idea.

Fry: Yes, my notes say that was Bradley and Gene Wyman.

Brown: Yes, but I agreed with it too. There was some criticism about it afterwards. It was kind of a corrupt agreement in some respect, they said, but I just laughed at it.

Fry: Well, if either one had won it would have worked out, I guess!

Brown: Yes, if they had won the United States Senatorship, but they both lost. There wasn't much enthusiasm to raise any money.

Fry: The surprise was that neither of them won. We talked some about Proposition 14. There have been some things written about the role of the churches in the "No on 14" fight. I thought someone at some point had told me that you had tried to bring some of the Catholic people--

Brown: Yes, I went down to see Cardinal McIntyre. I'll never forget going in and kneeling down and kissing his ring.

Fry: He was very conservative?

Brown: A very conservative fellow. He went on to tell that he had come from New York and he knew what property and bad housing was. He said the housing in Los Angeles was nowhere near the housing in New York. He said, "As a matter of fact, it's pretty good housing," and he didn't see any need of a Proposition 14 so he wouldn't take any position on it.

Otis Chandler told me too when I went in to see him--he was very pontifical about it too. After I had made a pitch to have him support Proposition 14, he looked at me and he said that I'm the governor and he's a newspaper publisher, with somewhat of a superior [tone], "I will give you my decision in the editorial pages of the Times on Sunday." I walked out of there and--but Otis has changed a great deal since that time. Otis has really been a pretty good liberal. (It's too cold but I don't want to get this place all smoked up.)

Fry: I'm all right if you are.

Brown: I'm all right but I may get a sweater. [tape interruption]

Fry: Who else did you talk to, Pat, that we should put down here?

Brown: About what?

Fry: About "No on 14."

Brown: God, I went up and down the state making speeches and trying to raise money. I gave it an all-out effort. I went to the California Real Estate Association meeting. It was in a Baptist church in Los Angeles and I'll never forget the cold reception. I kind of kidded them a little bit. But my attitude (I think I told you this before) was I wasn't quite sure whether I was going to run again. But whether I was going to run again or not, I wanted to do what I thought was the right thing to do, whether it was politically advisable or not. We had taken polls and we knew that we were behind, but the Nixon victory had given me a great deal of confidence in my own political ability to even overcome odds. I always felt that a leader should not let the people lead him; that he should lead the people, that to give leadership you have to tell people what you think. I always used to say to myself, "People will always know what I think. They can renew my contract or terminate it any time they want."

When I was first district attorney of San Francisco I had saved, through cases I had tried, maybe ten or fifteen thousand dollars. That's how much money I had. I felt that would keep me for a year and keep my family at that time, even if I got licked. But it gave me an independence that I really think I exhibited. I was never afraid of being defeated for re-election in this campaign. I don't mean to tell you that I didn't care about being re-elected and I wasn't politic and I didn't think about it. But when the chips were down in tough things I really tried to do what was the right thing, whether the people were for it or against it. (I think I'll get a sweater and leave that door open.)

Fry: Okay. [tape interruption]

Sam Yorty and the National Ticket

Brown: That '64 was an interesting year, though, with the president. I travelled all around with him around the state. One time Bernice and I were in a car with Johnson and Ladybird Johnson in that campaign and he talked for about forty-five minutes. He'd had a heart attack or he'd had some evidence of it. Ladybird turned to him and said, "Lyndon, I think you talked a little bit too long." He got mad as hell at her.

He said, "Ladybird, why don't you get back there with Liz Carpenter if you're going to criticize me. That was a great speech!" [laughs] She said, "Lyndon, I'm only trying to--you've got five more speeches to make today and I want you to be a little bit--I mean don't talk so long." But he got mad as hell at her.

Fry: She was thinking about his health?

Brown: She was thinking about his health. The speech was too long too. He made a good speech, but talked too long. [laughs]

Fry: Pat, in 1960 you got into trouble at the convention because your delegation went in all directions. So in 1964--

Brown: I didn't get into trouble. I think I explained that to you. I put the delegation together, which was probably a mistake but I had to do it or Kennedy would have come in to California and defeated me and that would have hurt my prestige terribly.

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Fry: Yes, it would have hurt your prestige.

Brown: So I had to do it and in March you still had Symington and you had Humphrey, Stevenson in the background, and Johnson, and Kennedy. I was really for Kennedy. As a matter of fact, as I told you I lied to the people of California where I said I had made no commitment as yet. I went around the state asking "who would you be for?" which was really a--I can remember going on the streets and talking to people with television following me and everything else. But in my heart I was for Kennedy. I made a commitment that if he carried Wisconsin and West Virginia and ran second in Oregon, I would be for him. So there was no question in my mind about it, and I had turned down the head of the Hearst newspapers, Dick Berlin, when he offered me the vice presidency.

Fry: How different was that from 1964?

Brown: In 1964, Johnson had given me the mandate to run on the ticket but he didn't want to hurt Yorty. We didn't give a damn about Yorty. We didn't think he'd get any votes anyway. Of course, Yorty had been his friend. Yorty and Johnson had been close in the Congress, so Johnson was in kind of a tough spot. He didn't want to oppose the governor, but he didn't want to hurt his friend Yorty anyway. So we had all the pros on our ticket and Yorty had a bunch of yugwumps that he put together at the very last minute, really as a protest against me because I had never given him any patronage as the mayor of Los Angeles. As a matter of fact, he was right in that respect. He was the mayor of the largest city in the state and he was a Democrat. And I had always gone to [Eugene] Wyman who had given me all the money, and there was a feud between Wyman and Yorty and I had gone with Wyman. So Yorty, really in self-protection, because Roz Wyman was out to beat him, he really had to oppose me and the Wyman machine. But he hurt me terribly, both in that campaign and later in '66 against Reagan. To this day, I'll always think that he was financed by the Reagan people and Reagan Republicans.

Intraparty Struggles: Cranston and Salinger

Brown: I see here something about Cranston against Salinger. What was that for? Do you know?

Fry: Yes, that was a libel suit because Salinger said something about one of Cranston's appraisers had charged that Cranston pressured them to give a certain amount of money to Cranston's campaign.

Brown: Oh, I see.

Fry: Then the suit was dropped after the election was over.

Brown: Salinger, by the way, went up and down the state supporting 14. As a matter of fact, he said, "If you're going to vote for 14, don't vote for me." I really think that hurt him terribly in the campaign because 14 was a very, very tough issue. It was one as great as Proposition 13 this time [1978] as far as political effect was concerned. Of course, my son handled it differently. Jerry embraced 13 after it went over. I fought it, continued to fight it and call the people that put it over bigots.

Everybody that had anything to do with 14, the fair housing proposition, was hurting. It was a very emotional issue. I put it in the same category as capital punishment. People believe they have

Brown: the right to rent and dispose of the property the way they were, number one. Number two, they didn't want blacks living in the same apartment with them. Even the Jews who were always liberal opposed it because a great many of them owned apartment houses and property and they weren't for it. I think I told you before the residual effects of it made me the person with whom the blacks had confidence. My son inherited that reputation because I was all out for the blacks. I was one of the few whites that they really felt understood their problems and I think that's true.

Fry: What about when Salinger entered? Did you continue to work just as hard for Cranston?

Brown: Oh, yes. I was really angry with Salinger, although Pierre, as I think I told you before, was a very close friend of mine. He and I had grown up in San Francisco and we were close personal friends. When he was Kennedy's man back there we'd always gotten along very well. So it was a tough place for me, but I felt he made a hell of a mistake in getting into the campaign. When Mosk and Unruh went out for him and a lot of the Kennedy people--it was just a nail in my coffin too. In '66 those were some of the things that began to hurt me, because I was on the wrong side of that and I was on the wrong side of Proposition 14.

Fry: You also got split advice from your own advisers, I believe. In that March 24th memo from Hale Champion to you--

Brown: Yes, I read that.

Fry: He says: "If you go hard for Cranston inside the party"--now this is five days after Pierre had announced--"I don't see how Pierre can make it. Don Bradley disagrees--with me, he meant--and so do Dutton and Coblentz."

Brown: I went all out for Cranston. Whatever it was, there was no--I did everything I could affirmatively. I don't think I ever took on Pierre. I never attacked him in any way. But I did everything I could with my friends to raise money and to support Alan.

Fry: But there was some question about whether you'd be able to keep the Wyman and the money?

Brown: They were always a little doubtful about Alan because Alan was the head of the CDC at one time. He had also been the founder of [World Federalists] and was a little bit too liberal for the moderate Democrats. But not for me. I did everything I could affirmatively, as I repeat, rather than trying to hurt Salinger.

Fry: Was there a problem with some of these sources of money that Cranston was already counting on being drained off?

Brown: Yes, Pierre took a great deal of it, of course. He took Unruh and his legislative group which had really the only political organization in the state, number one. Number two, Don Bradley went over to him, which hurt me. Don had been one of my campaign chairmen in '62 and he had been Engle's campaign chairman. It was a real divisive thing in the party at that time and very bad.

Fry: In the general election were you very worried about getting California to go for Johnson? Was the Murphy-Salinger battle the main battle?

Brown: That was the main battle. Johnson looked like a lead pipe cinch in California. He won by over a million votes.* It was a tremendous victory for him. I can't remember how big it was.

But Warschaw and Unruh and Mosk were always unfriendly too. Even though I had worked very hard for him, he never really trusted me for some reason. I liked him, and later I put him on the supreme court.

Fry: Warschaw ran for national committeewoman in the delegation meeting on June 27. The way it is in the record, she didn't lose it. She just withdrew at the last moment.

Brown: Oh, she knew she was going to lose it. I think I may have asked her to do it and told her that--she could see that she didn't have the votes so she pulled out of it. I probably told her I wanted a northern California woman.

Warschaw was such an antagonist of Wyman. I mean here were the two rich Jewish groups in southern California, although Carmen Warschaw never had much of a financial circle. She had a lot of money herself that she put into those campaigns--of Leo Harvey would put fifty to seventy-five thousand dollars into a political campaign.

Fry: The record shows that Roger Kent and Senator Petris co-chaired the northern California campaign. Were these honorary positions?

Brown: Oh, no, they were active in it.

Fry: What did they do?

Brown: Petris was in the assembly and, of course, each one of the assemblymen had a little organization in their assembly district. They were really the only political force in California, even today.

*4,171,877 to 2, 879,108.

Brown: I think it's a terrible mistake that the Speaker of the assembly becomes really the political leader. But he has such control over legislation. He can raise [so much] money on these committees that he becomes the political boss for the state, and sometimes their own selfish interests are not good for the statewide ticket.

Fry: Then in the south Don Bradley was the manager. How did you get along with Don Bradley?

Brown: Well, I was mad at Don for not following me. I had paid him big money in the '62 campaign and he and I had been old friends. But it was a tough one, because Salinger was a very likable guy. We were all very friendly with him. It was just a terrible thing for him to get into, as a matter of fact.

Conservative Issues

Fry: Do you think you got many of the Rockefeller defectors to vote for Johnson?

Brown: Oh, yes. Well, he won by a tremendous vote. Goldwater, that's when he made the famous statement in his acceptance speech, where he said extremism in the defense of liberty is not a sin.

Harry Lerner, who was one of my political advisers, called me up and gave me a statement which I wrote down over the telephone (I was in the mansion) where I said, "The stink of fascism is in the air." Do you remember that?

Fry: There are so many letters in your papers saying, "Gee, Pat, that was a great--"

Brown: Oh, God, I really laid it on. Goldwater and I sat next to each other at the Gridiron Dinner one year. He laughed about it, but he was serious. Bill Buckley took me on later on because I made the statement. I don't remember exactly, but it was a tough statement and I read it with great glee.

It was really a tough thing to say by a governor [about] a candidate for the presidency, but the right-wingers (if you get my mental attitude) the conservatives in the Republican party, worried me then and worry me now. I think they're philosophically wrong for the best interests of the country, but I think they're beginning to prevail. People are beginning to think the public sector is--there's something wrong with it now.

Fry: Did you have that feeling back in '64?

Brown: Oh, I had it in '64. I had it all the time, right through John Birch and the Bill Knowlands. Eisenhower was kind of a middle-of-the-roader, of course.

Fry: Here were Murphy and Goldwater running. How did you perceive this whole lay of the land in '64, '65, '66, that period, as far as conservatism went?

Brown: It was before that, it was '62 when Max Rafferty won, and Max was a right-wing reactionary of what I consider the worst kind, and then Murphy was a stupid conservative. I mean a nice personable guy. I've know him for a long time and I like George. But, of course, I like everybody, I mean even on the other side, even though I hate their politics.

Fry: You saw that as an evil?

Brown: Oh, yes, I saw it as an evil then. I see it as an evil now. I mean, philosophically, I just think that the people who are attacking government and cutting it down--you take even with my son, when he starts talking about cutting the university down ten percent, I think that you've got to be awful careful. The resources of this country are the brains. We've got to invest in the best brains, you get the best brains in the University of California. Anything that diminishes that stockpile of intelligence diminishes us. I mean even today it's true, and I told Jerry so the other night on my birthday.

I come on awful strong with him. You should see me sometime. He doesn't resent it, but he's afraid of it. He shrinks away from it. He doesn't really want to talk to me about these things. Bernice will say, "Now, take it easy!"

Fry: To you?

Brown: To me. She says with Jerry, "You know, you don't try to persuade; you try to hit him over the head." Which I do, but that's the way I act.

Dave Broder interviewed me the other day and I came on awfully strong about the public sector. I mean the state's growing 400,000 people a year. It's like an expanding department store, an expanding business. Talk about cutting back! It's just contrarily indicated. The water project has to be completed, the freeways have to be completed. We have to put more money into the public sector. Things are running down. These flood control areas in southern California, you have to get rid of the debris. You've got inflation. You've got to give the state employees more money, maybe not more than the president's guidelines. But on the other hand, I resent the employees getting these big pensions and then coming along too with disability pensions with so-called heart conditions that really is the result of old age rather than the stress of public service. In other words, I'm a very objective, intelligent, great human being and everybody else is a boob! [laughter]

Brown: But after Salinger won, your outline reminds me I asked Wyman to co-chair southern California with Unruh. I think we worked it in and Bradley took over. I then did everything I could to elect Salinger after he was nominated. Then I made the mistake of appointing him to the Senate when I should have let the people make the decision, because the Republicans immediately picked that up and raised the question of being a carpetbagger.

As a matter of fact, I met the head of one of the big television stations who was very active in the Republican party. He said when he read I had appointed him, he immediately called his people and said, "Let's attack Salinger on his residence." In the Senate, there was a big fight on the floor. Those things hurt him too, so it was a real tactical error to appoint him. You can see that again where a very popular governor of Minnesota, Wendell Anderson, had himself appointed to the Senate. He went down to disastrous defeat to an unknown. People want to make these choices themselves, and they don't want governors to interfere with that choice by doing those things.

Hearst Newspapers and Drew Pearson

Fry: You got pretty good press support, or Lyndon Johnson did, in '64.

Brown: Oh, yes, the Times even supported Lyndon Johnson.

Fry: No, it didn't. I think that what the L.A. Times did was announce ahead of time that it would support whoever the Republican nominee was.

Brown: Oh, they did?

Fry: So they were tied to Goldwater even before he was nominated. But a lot of other traditional papers did come around. The L.A. Herald-Examiner, and the Examiner in San Francisco and the San Francisco Chronicle all supported Johnson.

Brown: Oh, did they? Well, the Hearst newspapers supported--we made a deal.

Fry: With Franklin Murphy?

Brown: I stopped an antitrust suit against the Times and the Hearst newspapers in southern California. That was when Johnson intervened with the Department of Justice. He really got them to stop the antitrust suit against the newspapers, and as a result the Hearst newspapers paid him back. Dick Berlin, the executive head of the Hearst newspapers in New York, was a very close friend of Johnson. He was the one who tried to offer me the vice presidency if I would support Johnson at the convention in 1960.

Fry: What did you do, talk to Johnson about it?

Brown: I called him up on the telephone and he said to me, believe it or not, he said, "I'll try to help you, but give Drew Pearson a ring and tell Drew that it's very important to the Democratic party in California and the Liberal party that we not have an antitrust suit. Don't mention my name, but just say that you know that Johnson is concerned that you would attack it if he stopped it and you want to get his view on it." So I called Drew Pearson and told him about it and Pearson was really flattered that the President of the United States would have me call him on it and he laid off; he never used it at all.

Fry: I noticed that Drew Pearson attacked Warschaw. This was when she was the Democratic chairman of southern California.

Brown: Oh, did he?

Fry: Yes. This was between '64 and '66 in that interim period between elections and I wondered if there was--

Brown: Well, I was very close to Drew Pearson.

Fry: That's why I thought maybe you had talked to him about it.

Brown: Well, I probably did. Drew had a feeling that he was instrumental in my getting elected attorney in 1950, and he was. He had run this story about the Shattuck letters knocking Earl Warren. Then in '62 we worked together through Harry Lerner in renewing and perpetuating awareness about the \$330,000 loan that Hughes made to the Nixon family. He picked up the story and ran it; Nixon never really got over that. It was good for Pearson because it gave him a story.

Then he felt that he played a great part in my victory over Nixon, so as a result of that he and I were very close. Every time I went back to Washington I would dinner with him. He'd always get a group of Senators around. It was one of the most interesting parts of my life to go to Drew Pearson's house for dinner with all of these Senators, and there were always important things happening. So we were very close.

He was very concerned, however, about something that he thought I had done. And even though Pearson was your friend he was essentially, he was number one a newspaperman. Even though we were very close he would have attacked me and he was going to run this story. I finally convinced him there was no truth in it. I think it may have had something to do with this \$10,000 contribution that El Paso Natural Gas made to the campaign for the water bonds back in 1960. Bill Bennett had charged that they had given that to me as a bribe. I didn't even have anything to do with it. I was raising money for [the bond campaign] but I had nothing to do with El Paso's contribution to it.

- Fry: Do you see anything else in this '64 campaign on that outline that you want to talk about? I think we pretty well covered it last time.
- Brown: I think Archbishop McGucken in San Francisco came out for Proposition 14. Most of the Catholic people came out against it, everybody but Cardinal McIntyre. We got a clergymen's committee against Proposition 14.
- Fry: After the election was over, then you sort of regrouped your forces and the next thing that happened--
- Brown: Your outline mentioned fair housing--Lou Cannon on page 270. What about that?
- Fry: I asked you about that last time and you told me.
- Brown: Oh, did you? He wrote a nasty--the book played Jesse up as a great guy and me as a weak, vacillating character.
- Fry: Yes, that was when Cannon was questioning the need for the fair housing law.
- Brown: Yes.

XVII TROUBLED TIMES: 1966 CAMPAIGNS AND ISSUES

1965 Democratic Party Structure

Fry: Do you remember when Ann Alanson won the race for the national committee-woman on March 7, 1965? This was seen as a victory for you. Warschaw wanted Trudy Owens and she felt that the vote had been called too early and she wore her railroad cap and said that it had been railroaded.

Brown: Where was this?

Fry: This was at the Democratic party meeting in March of '65.

Brown: That was for what office?

Fry: For national committeewoman and Ann Alanson won.

Brown: Oh, Ann Alanson won. Warschaw wanted Trudy. Trudy was related to her. They were cousins or something. Well, I never got along with Carmen. I mean we met, we talked, I tried to be friendly with her but we never really got along.

Fry: Well, that should have restored anything that you might have lost in the previous battles with the Democratic party because according to what I read this was seen as your victory there.

Brown: Do you mean for Ann Alanson?

Fry: Yes.

Brown: Yes, well, I still as governor controlled the Democratic party structure through the assembly and things like that, although after my victory in '62 over Nixon, Unruh began to flex his muscles and as a result there was dissension in the legislature and some things that they should have been for--I can't remember what they were, but I can remember going up before a Democratic assembly caucus to appeal for something and as I

Brown: was making my speech Jerry Waldie said, "Governor, I should tell you that we've already taken a vote and come out against it." I looked at him and kind of walked out. But Unruh was just a bitch during these four years. He really was a horrible character but he was working for what he felt was the thing to do but as a result he--

Proposition 14 and the Salinger thing and Unruh's continuing attacks and the two-year [legislative] term all weakened me to the point that in '66 I went down to defeat. Although I still think that our record during the eight years was really a magnificent record. But, of course, you get a thing like Proposition 14 that made every real estate office in the state of California a precinct office for the Republican candidate, number one (in '66 they vowed to defeat me). Then, number two, I supported a bill to repeal fair pricing in liquor. So I had the real estate offices and every retail liquor store in the state against me. But you can understand that I had had my 23 years of public life and eight years as governor, and I wanted the luxury of doing what I felt was right whether or not it was politically popular or not.

Fry: Was the liquor lobby against the repeal of the pricing?

Brown: Oh, God, yes! They had lobbies up there in Sacramento. They fought me. I couldn't get it through. I couldn't get it introduced.

Fry: Some retailers sounded like they were for it this past time so I thought maybe you had some support from them.

Brown: I don't know why they'd be for it because this gives the big chains the opportunity to use liquor as a loss leader.

Fry: That's what I mean. They were for taking the price controls off, I thought.

Brown: I don't know who. Most of them were against it. I'm going to get a glass of water. That damned cigar dries my mouth out. [tape interruption while Brown gets drink of water] The smoke is coming in here a little bit. It's a good fire, though. I like it, don't you?

Fry: Oh, the fire is just lovely. As time went on that year (this is still after the '64 election) in October of '65, Roger Kent was removed as northern California chairman. So what's the story behind that?

Brown: Who did they put in?

Fry: Bob Coates.

Brown: Bob Coates--I don't remember.

Fry: But I think Jerry Marcus was asked and wouldn't take it.

Brown: God, I don't remember that at all.

Fry: You don't remember why you'd--

Brown: No, I don't. I have no recollection of that.

Fry: He was made head of your '66 campaign.

Brown: Who was?

Fry: Kent.

Brown: Oh, yes, Roger was my chairman but I don't remember him removed as northern California chairman. Did he resign?

Fry: Yes.

Brown: I don't think they ever removed him.

Fry: He resigned but I think he was asked to.

Brown: God, I have no recollection of that. I remember Bob Coates who was from Fresno, I think, or some place and he was completely inexperienced. How we ever got to him or where he comes from I'd have to read the newspapers or see some refreshing of my memory. I have no recollection of it at all.

Fry: Did you want Jerry Marcus? Do you remember?

Brown: Yes, I liked Jerry Marcus very much. Was he defeated?

Fry: He turned it down.

Brown: Oh, did he? I don't remember. I have no recollection of that.

Fry: Well, think about it and it may come to you.

Brown: That was '65. I don't know how I can think about it. I'd have to ask somebody about it. I'd have to ask Roger Kent. He'd probably remember.

Fry: Roger just said that somebody suggested it to him, either you or Libby or someone, one day.

Brown: I remember I tried to get a hold of Coates. Coates did something later on. I mean he wrote a letter or something--it was something. You refreshed my recollection on it. He wrote a letter criticizing--

Fry: He was suggesting how to carry on the No on 14 [1964] campaign in that memo.

Brown: Oh, did he?

Fry: Yes. That was before he became northern California chairman. Coates was suggesting that you don't try to have a lot of great big volunteer organizations for No on 14, but instead you get pledges signed.*

California Democratic Council; Vietnam; Student Unrest##

Fry: If you want to move on to 1966, one of the problems there was CDC. Your action had ousted Simon Casady finally. Do you remember him?

Brown: Oh, yes, I remember that incident. The CDC had begun to diminish in power over the years. They'd accomplish their objective in having a Democratic administration and they had become more radical, if I can use that term. Some of the things don't seem so radical now, but recognition of Red China and disarmament. There were a great many other factors that gave them probably a--legalization of abortions.

I can't remember all of the liberal issues but they were minority issues and they gave the Democratic party an ultra-liberal image. They were also fighting the Vietnam war and, of course, I had supported Johnson. Johnson would bring the governors back and brief us on the fact that they had had the division between South Vietnam and North Vietnam and all of these North Vietnamese who didn't want to be under communism moved to South Vietnam and that here these people had taken over by force and violence and this was what Hitler did and that we had to stop the takeover of a country by force and violence.

So I had supported him in his efforts in Vietnam which was another unpopular position, particularly with the liberal Democrats in the state. So the revolt continued. Of course, we had the '64 Free Speech Movement. I had always supported the university, so I had been tied up to the university and they blamed me for permissiveness and not disciplining the kids and that sort of thing, even though I sent the police in and arrested whatever there were--150 or 200 of those kids--and prosecuted them and a lot of them went to jail.

Fry: Eight hundred and one, I think. Could you straighten out the events of that night, because that turned out to be so historically important since it was the first action actually on a college campus.

*Supporting documents include 1966 correspondence between Coates and Carmen Warschaw re appointments to the Resolutions Committee for the State Democratic Convention.

Brown: They had the one incident where they tried to arrest somebody. They surrounded them and wouldn't let them take him out, around the police car. So that was number one. Then number two, they planned to take over Sproul Hall which was a well prepared incident by Mario Savio and the young liberals that were there. I was down in Los Angeles and they called up and said that they were going to stay there all night. They brought mattresses in. It was Jewish holiday. They had something for the Jewish group in the thing. [chuckles] So I was at this dinner and Franklin Murphy was there, so I called Franklin over and we went out in the hall at the meeting and I said, "What do you think I ought to do, Franklin? You're a university man." (He was chancellor of UCLA at the time.) He said, "There's only one thing you can do. You've got to move those guys out of there."

So the district attorney of Alameda County called me and said, "Pat, we have enough campus police and we have enough Berkeley police to move all of those kids but we need help."

Fry: That was Coakley?

Brown: No, it was Coakley's assistant. Coakley was the DA. I think it was probably Lowell Jensen. So he said, "We need help." I said, "Be very cautious. Be very careful and don't be rough. Give them up to the very last minute to get out but tell them they have to get out. They're trespassing, they're violating the law, and we can't stand for any violation of the law. Just take them out if they won't do it and arrest them." Which they did.

Fry: You also talked to President Kerr that night or your office did.

Brown: I don't know if I talked to Kerr or not. I think I talked to the chancellor who was--who was the chancellor at that time?

Fry: [Ed] Strong.

Brown: Strong, yes, who was really one of the contributing causes of the riots. I think if I had to do it all over again, I don't think I would have sent them in although it was a tough job when local law enforcement officers tell you it was a clear violation of the law. You were sworn to uphold all of the laws even though you may have been sympathetic [with] the ultimate goals of the Free Speech Movement--which I was at all times.

Fry: Had you been kind of keeping up with all this?

Brown: Oh, yes, I had been on top of it. I had been watching it. I probably had talked to Kerr and Strong on several occasions although I didn't have any influence on what was going on in the campus. I didn't fully understand what the hell they wanted to talk about. They apparently wanted to put out pamphlets and be able to speak.

Fry: It was a traditional area where--

Brown: A traditional area where they had [made speeches] and Strong had denied them. I think Kerr was out of the state. He was back in Washington or some place.

Fry: Japan or somewhere.

Brown: Yes, so Strong was really on his own. I think Kerr would have handled it much better.

Fry: Do you remember suggesting that you and Kerr go down and talk to the students in Sproul Hall or anything like that?

Brown: I don't remember that. I could have.

Fry: Let me see. I think in Reagan and Reality you mention something about that, that you had suggested to Kerr that you go talk to the students first.

Brown: Did he veto it?

Fry: No. But it sounds like you were getting advice from a lot of different places, that's for sure.

Brown: I probably was.

Fry: The newspaper article that came out the next day in which you explained to the press why you did it or maybe not the next day--what's the date on that? December 4, 1964, page one of the San Francisco Chronicle. It was a defense of your position. [pause while Brown reads article]

Brown: I was pretty rough, wasn't I? No amnesty or anything else. I was probably trying to establish an image of strength because of the charges of my being vacillating and everything. [pauses to read further] I lost both sides in doing this too. The young people who were with me because of my support of the university and free speech and everything else which I had always fought for, they then walked away from me and became reactionary. You don't gain the conservatives when you do this. I mean they were so much against me for my philosophy that I had demonstrated for six years.

So I lost both sides, just like I did with Chessman when I gave him a sixty-day reprieve, I didn't get anybody in the thing. But you'll remember I had been a district attorney and then an attorney general as the chief law officer of this state so I really am still a very strong law-enforcement person. I get angry at the Supreme Court with some of their decisions on civil rights, on violators of the law. I

Brown: believe completely in free speech and no censorship and all of the constitutional rights. But I think the interpretation of them has gone too far. Like the other day when the Supreme Court rendered that decision (I haven't read it yet and I may change my mind when I read it) that you can't detain a person for ten minutes when there's something suspicious in the car to find out whether they were guilty of any crime. We've got our computer system now that you can get on the telephone and find out whether Luke McGlue is charged with a driver's license violation of blank-blank-blank, and they held that that was an unlawful deprivation of the liberty of an individual. I've got to read that decision because my sympathies were for the minority in those cases.

Fry: Pat, can I ask you this? I know it's hard for you to remember but if you could just put your mind back in that situation. There you were down in Los Angeles and you heard about this and you immediately saw that it was a case of the students breaking the law because they had taken over this public building, right?

Brown: Right.

Fry: Did you think anything about the relationship of the university to the state at that time, in its constitutional relationships to the state?

Brown: Yes, I did. I thought of it. Of course, the university authorities were asking me to step in and the local authorities were asking me to step in. But I didn't think of the university as a sanctuary which, of course, traditionally the university was always a place like the church where they could go and even though there were no guards or anything else this was the place where it had to be controlled within. I don't know whether it would have made any difference to me if I had a little sense of the tradition of the university or if I had known about it, but I looked at it as a simple violation of the law by these people because they had planned it so much. It was not a spontaneous demonstration or anything. It was a clearcut plan or maneuver on the part of these people to disrupt the university.

But of course I was sympathetic with Johnson's position and the Vietnam situation. I really think the whole basis of this thing was a revolt by the young people who didn't want to be slaughtered in Vietnam as I look at it now. Instinctively this was the thing. Although it may have been free speech. It was really--the whole student revolt of the sixties was really a fight against being drafted and being sent overseas to war. I think they'd rather go to jail, as demonstrated by so many people that just became conscientious objectors and went to war. But I didn't appreciate that at that time. It was a pure law and order thing for me. It was black and white. There weren't any shades at all. I think if I had the opportunity to talk

Brown: to some people they might have appealed to me and I may have granted amnesty to the people. They were later tried and a lot of them went to jail for as much as six months, I think. Mario Savio went to jail, didn't he?

Fry: I can't tell you for sure. A lot of them were tried.

1965 Watts Riot

Brown: You had the Watts riot in '65. I guess we went into how I was overseas and was called back. Did we go into that in '64?

Fry: Yes, but what we didn't go into was something that I saw in your book, Reagan and Reality, in which you said you went through Watts and talked to some of the blacks.

Brown: Yes, I did.

Fry: I thought maybe you could tell me about that.

Brown: I was over in Greece. I was over there with Jack Verde and my wife and Nick Petris's wife and we were going out on a boat that night when I got a telephone call from Hale Champion telling me about the Watts riot and telling me I better come home. If he had waited three or four hours I would have been unavailable. They would have had to send a Greek naval vessel after me because I would have been on the high sea and they didn't have a telephone or anything else on board. They probably got a radio; they could have gotten me on the radio. So the next day or that night we made reservations and I flew back. I was met by Joe Califano who was Johnson's secretary and flown back in an Air Force jet to California.

The riots were still going on and I went down while the National Guard had been called out on my instructions to Glenn Anderson. I called Glenn and I said, "Get them out. Get the national guard and stop this damn thing." I didn't think the police had handled it very well. And I think we declared a curfew too, keeping people off the streets after 10:00 at night to try to prevent any further fires. But I thought they handled it very badly and Yorty handled it very badly. He passed the buck to everybody. As a matter of fact, he was in San Francisco making a speech when the going was very tough. The Watts riots and the riots at University of California were two bad incidents in my second four years as governor.

Fry: In the Watts riots, some of the Pat Brown watchers of the period felt that you came out of that pretty well with the blacks.

Brown: Oh, yes. I walked out, I was sympathetic with them, and appointed this commission to study and better their conditions.

Fry: That's the McCone Committee.

Brown: The McCone Commission with Warren Christopher, John McCone, and the dean of UCLA medical school and it seems to me like I had a priest on there and then I had a black man (I forget who it was) and we had a good staff, and that was it. I used my emergency funds and then we went out and raised money. John McCone helped us raise some money from all of the major companies to pay for the staff of the commission. I want to make some telephone calls.

Fry: Didn't you walk in Watts with Martin Luther King? Is that right?

Brown: No. No, I don't think I saw Martin Luther King, but I'll tell you who came out and I met him at the Town House where I was staying and Jerry was with me. He was with me--who was the big evangelist who was around?

Fry: Billy Graham?

Brown: Billy Graham. He came out and we had a long talk with Billy Graham about it. He was looking into the thing. We had a very nice chat. After he left, I said, "What did you think of him, Jerry?" Jerry, I'll never forget, said, "He's got a great racket." That's all he said! [laughter] He was very skeptical. I think I did meet Martin Luther King, now that I recall it. He did come out and we did have a meeting with Martin Luther King and I think he pleaded for peace in the thing now that I refresh my recollection on the thing. But I have to go back and look at that. But I met with all of the black leaders; I had a great many friends and they were all deeply concerned over this because this was a real revolution. Of course, after that, it happened all over the United States. They had riots in nine or ten other cities.

Fry: You always get to be the pioneer, don't you?

Brown: I'm always the number one guy in these things.

Fry: I'll ask you a little bit more about it when you come back.

Brown: I'd like to make a telephone call. [tape interruption] Okay, where are we now?

Fry: All right, we're just finishing up on Watts. If you could describe to me what it was like when you landed at Watts.

Brown: Well, when we got back the rioting was still going on. It had calmed down considerably but there was a lot of turmoil at night and a lot of fires. The police were still guarding all the area and I insisted

Brown: on going in. The national guard were there, and I walked down with one of the National Guard captains and talked to some of the blacks and asked them what should be done and their difficulties and all that sort of thing, and they'd tell me about jobs and transportation and housing and everything else. I really tried to do something but it's awfully hard to do and even ten years later--more than that, it was in 1964, that's fourteen years later. Not a great deal has been done. We still have high unemployment. Housing is not too bad in that area. It's relatively pretty good. But jobs or transportation are still big problems for the blacks.

Fry: Did you talk to blacks at random that night?

Brown: Yes, just people walking along the street. I also talked to leaders. I talked to clergymen, asking what should be done, and they all had ideas. Of course, I set up this commission to study it and then I tried to fulfill their recommendations, but how much we've done is hard to say. The L.A. Times did a story on Watts ten years after. They really ought to set up another commission to take a look at the results of this and not have that report just gather dust on the shelves.

Fry: You were also getting advice from people in your office.

Brown: Oh, yes. Everybody was giving me advice. I didn't have much to do with Sam Yorty. Yorty was around; he was the mayor, but a kind of weak one. The National Guard took over. We moved into the thing.

Fry: Who in your office was most responsible or had the most to do with both Watts and Berkeley?

Brown: Well, I would say Hale Champion. Hale was my confidante and adviser and person whom I had the most confidence in. He was very diplomatic in making suggestions. In some of these memos you can see he weighed all of the alternatives, which gave a very good perspective. I don't know whether Hale was a particularly good politician; like he thought that by my going all out I could win. He thought Cranston would win. The others didn't think so, and it turned out that he didn't. Cranston, of course, had been controller which is not too well known in the state, and Salinger had national publicity and he had the Kennedy image; the Kennedy young people loved him for that. But Hale was the man upon whom I relied. The others--Winslow Christian or whoever happened to be my executive secretary or Arthur Alarcon or people like that, I never really trusted their political judgment too much. I had Charlie O'Brien come in for a little while as my executive secretary. He was a dreamer but a good lawyer and a fine man.

Capital Punishment

Brown: I ran the ship. Whatever they may say, it was my own personal judgment in most of these things and if you trace the history, even though I was against capital punishment, my law-enforcement background comes out time after time, although I never felt that just passing tougher laws--like they wanted to make a mandatory sentence of five years for anybody who used a knife longer than three or four inches. I thought that was kind of a silly law; so I vetoed some of those, which hurt me with the law enforcement people.

Fry: Speaking of law enforcement and capital punishment in this year of 1965, Oregon had a referendum in which they passed a law against capital punishment.

Brown: Oh, did they?

Fry: Yes. Okay, I think you've already answered my question. I wanted to know if you remembered if this started some plans, by any chance, in your own head to maybe put it on the ballot again.

Brown: We let thirty-three people be executed during the eight years I was governor and still have no ostensible effect upon murders. I think the majority was still in favor of capital punishment, but I would say it was in the area of maybe 57 and 58 percent according to the Field Poll at that time where now it's up to 72 or 73 because the crimes have gotten so terrible.

Fry: Okay, I wanted to be sure I wasn't missing a story there.

Brown: No, I have no recollection of it. My position on capital punishment was--and I repeat it--is that the long delays, deterrent effect comes only from quick and speedy administration of justice. If it goes on too long, people forget what the crime is and the sympathy goes to the individual, which is a counter influence against deterrence. As a matter of fact, you kind of glorify the criminal upon his death. There's some dignity in death itself and here this man marches bravely to his death, this horrible creature, which gives him a dignity that he's not entitled to. But if you quickly execute him while people remember the crime, it probably would frighten some away from doing it. But on the other hand, if you get into the background of these people, most of them have some mental quirk where they've never had any love or affection as children. They were probably brought up in an orphan's asylum or something like that--you'd be surprised--or shunted from pillar to post by step-parents or uncles or aunts, so that they don't know love. They have no feeling about hurting another person and they've been beaten themselves and they're like the Hitler corps that was able to kill the Jews without compunction. Their lives permit them to feel no feeling about hurting things. These are the reactions I have to a lifetime of watching crime and punishment.

Gubernatorial Hopfulness

- Fry: Then as you went on through '65, did you know at that time that you were definitely going to run for re-election or how did you make up your mind?
- Brown: I don't think I was sure of it until probably late in 1965. I really wanted a year of being governor without running for office. I wanted a year of letting somebody else take over the burden of running for office. The job itself I liked. I liked being governor and I thought that I was getting to be a better governor through experience even though I was not able to control the legislature like I did in the first four years. But campaigning and going out and making these speeches, these never-ending banquets or luncheons with hundreds of thousands of people and ceremonial affairs and greeting the National Rotary Association when they came to California began to bore me to tears. But I felt that you had to take the bitter with the sweet and I was willing to do that to continue to be governor. But if there had been a strong personality developed in California, if there had been a strong individual, I think I would have let somebody else run in '66.
- Fry: Unruh was pretty strong.
- Brown: Unruh was pretty strong but he had been such a mean bastard that I didn't want him, and I didn't think he could win anyway. I thought his physical appearance, the things he said, the power image and not good looking and everything, I didn't think he would have--now, Glenn Anderson I think would have liked to have run for governor and I liked Glenn. But I thought Glenn was too colorless to win against Reagan or Christopher. The other one that said he wanted to run was Stanley Mosk.

Stanley came in to see me and said, "If you withdraw, I'm not urging you to do it, I think I would run." But there's a question, there's a provision in the constitution to the state that a justice of the supreme court can run for no other office, can hold no other office of public trust during the period for which he's elected to the judiciary. That's to prevent judges from running and he claimed that it only pertained to the holding of public office and his term expired. But he was willing to give up the supreme court to run. I said to him, "Would you resign?"

He said, "No, I would take a leave of absence." Well, I didn't want to see a supreme court justice who's supposed to be out of politics running for governor, number one, and I didn't think Stanley could win either. I felt the attack would be made upon him for a judge running would have really hurt him in the thing. I think maybe I wanted to be one of the few second governors ever to be elected to a third term.

Brown: As I look back on it, it was easy for me to see weakness in the other candidates, between you and me. As somebody said, I forget who it was, it wasn't Harry Truman but one of Harry Truman's friends said, "There's only two ways you leave high office like governor or president. You're thrown out or they carry you out." I think that's probably true. So I was thrown out. Johnson was thrown out, Truman was really thrown out. They both withdrew but they were thrown out by--the voters apparently were not going to vote for them.

Fry: So you decided to run. In a recent newspaper interview that you had, probably on the run like you always are, you said that one of the reasons that you decided to run was that you wanted to establish once and for all that you could hold together the Democrats against Unruh.

Brown: I think that was probably the reason. He infuriated me during those four years by his refusal to follow my leadership. When I'd ask him to come down to the office to talk to me about a bill, he'd come in twenty-four hours later, he had that Hughie [Burns] and Jesse television show once a week and they ridiculed positions I took and everything else. I had him over to the mansion and he wasn't insulting but he was insolent to the governor and he--

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Fry: Also as things shaped up, George Christopher entered the race. Here's a chronology if you want to just look at it. [pause while Brown studies chronology] Do you see a note up there that Unruh asked [Thomas] Kuchel to run for governor and then denied it.

Brown: Yes, but I don't believe that. I don't think he ever did that. No, no. He was always a Democrat and he did set up his Democratic volunteer committee which was an organization that he promoted to defeat the CDC who denounced him. He passed a bill and I signed a bill that compelled the people to say they were not an official organization of the Democratic party and it had to put in large words. It increased the printing costs so they couldn't use much advertising. It was very, very bad.

Fry: That was anti-CDC. Did Unruh ever make any commitment for you in the primary? I couldn't find that he did.

Brown: I think I read here I said he did, that he committed himself to me, and I think he did. But he certainly didn't do it very enthusiastically.

Financial Troublespots

Fry: Someone said that a lot of the money that was raised at this point went to pay off the old debts rather than being used as a war chest for your campaign.

Brown: What old debts? Did I have a debt at that time?

Fry: No, but a lot of the Democrats did.

Brown: Maybe--I don't remember that either.

Fry: Gene Wyman was raising a lot and so was Unruh.

Brown: Yes, they both--Salinger and Cranston--had a big debt so they all joined together to try to raise the money. I don't know what ever happened. I don't think they ever raised enough money to wipe out the deficit. I think Cranston finally settled it and I don't know what Pierre did about his debt.

Fry: You see on the chronology about the reapportionment decision? You signed that bill in the fall of '65 and then it was ratified by the supreme court. This put forty senate seats up for contest and no incumbent for twenty of them. So you had twenty senate seats up for grabs by nonincumbents.

Brown: The supreme court knocked out the reapportionment that had been adopted by the legislature. So then we put a new reapportionment bill in and that was ratified by the California Supreme Court in 1965.

Fry: Yes, in December. So you had an awful lot of people running for office.

Brown: Yes, I guess I did.

Fry: Which must have spread the money pretty thin.

Brown: We didn't talk about the Si Casady resignation. I think we started to talk about it but we never did.

Fry: How did you finally--?

Brown: Casady was a very good friend of mine and still is, but he was constantly attacking Johnson and in very bitter terms, and I didn't think the chairman of a big volunteer Democratic organization should attack the President of the United States. I told him, "I have no objection to your taking a position opposing the Vietnam war, but I don't think you should attack the president by ridicule and other things the way you were doing it." So we had a vote down there. I think he offered to submit to a referendum of the people and we went down there. I sent my whole crew down and we fought it and he was defeated, but all that hurt too. The division in the CDC and Unruh's organization, fighting the CDC. So the CDC got annoyed at me and didn't work like they had done in '62 and '58. When was Don Bradley indicted for evading income taxes? He wasn't indicted until a long time later.

Fry: It was later. It was income taxes.

Brown: Oh, yes. They had investigated me for three years.

[pages 564 to 565 of the transcript are under seal until May 24, 1987]

Brown: They investigated Wyman and me and Bradley, and after three years of investigation they found out that he had embezzled \$85,000 of my finance committee funds and used it for his own purpose and that was it. But they didn't know whether he had given me some of the money. He had gotten a car from me, for two years, and said that the people had given me that, the automobile people. As a matter of fact, he was paying it out of these embezzled funds, which made it look like I was part of the scheme to embezzle this money from the Democratic fundraising campaign.

Fry: How did all that come up? Do you know?

Brown: One of these days under freedom of information I'll find out, but I don't know how it arose at that time. Somebody must have tipped them off.

Fry: Was it the treasury department?

Brown: Oh, yes, it was an IRS fraud investigation. It caused me more discomfiture than almost anything else that occurred in my life too. You know, to be under suspicion for taking this money, and I never knew whether Bradley would say--I don't know who did it, but I was always afraid Bradley would say, "Yes, Pat Brown and I conspired to do it."

If he did I was dead because if he would have testified against me it would have--but he didn't do that so I've been very grateful that he told the truth and copped the plea himself. They'd offered him immunity. Of course, he would have had to have shown that I had gotten some of that money and the only money that he could have ever shown that he gave me was the rental payment of this car for two years. I bought the car later and paid cash for it. He told the owners at the place where he leased the auto: "Please give Pat Brown no information on this or anybody else--information as to who was paying for it." He told me--Don lied to me--he told me that an automobile dealer in appreciation of all that I had done as governor was letting me use the car for two years conditional upon my buying it for cash at the blue book value two years later, which I did.

Fry: What was his motivation in doing that?

Brown: He just wanted the money. He just needed money. He was a high-rolling gambler, Don. He lost a lot of money. The way he did it, he set up a Brown for Governor campaign with the co-signatures, Bradley and somebody who I never heard of, some other person, and he grabbed that money so he'd make a cash contribution and he put it in that campaign fund.

Fry: Is this similar to when you were running for what, district attorney in San Francisco, and you bought tickets that would pay back ten to one?

- Brown: Yes, but that was a different situation because he'd evaded income tax, that was the bind, and he stole the money from me. It was money for the campaign that he used for his own personal use.
- Fry: And without telling anybody that's what it was going to be used for.
- Brown: He didn't tell Gene Wyman. We were both surprised when it came out the way it turned out.
- Fry: At any rate, did you wonder at the time where money was in your campaign?
- Brown: Well, we raised maybe \$2.5 million, so I mean \$85,000 is not a drop in the bucket; but a week before the campaign was over with I knew I was going to lose. You sense you're going to lose, the polls showed that I was going to lose, and I said, "I want to cut out any further expenditures [taps for emphasis] if there's going to be a campaign deficit." They told me there'd be no campaign deficit, that they had all the money to take care of all of their commitments. Well, about four or five months later the treasurer of the campaign came in and told me that there was an \$85,000 deficit so I had to go out and raise that money again. So I didn't even know there was that deficit at the time and we had a big dinner at one of the L.A. hotels and there we raised the money and paid off the debt.

[transcript resumes]

Fry: Christopher's earlier misdemeanor with his milk business was also brought up in your campaign.

Brown: Yes; we felt that Christopher would be a stronger candidate (he was further ahead of me in the polls) than Reagan. Reagan and I were running almost neck and neck where Christopher was ahead of me 13 or 14 percent, so you can see how far I dropped in popularity in the state. So we knew that Christopher had been arrested many, many years ago when he was a young milkman. As a matter of fact, my law firm and my brother Harold had represented him in the matter. But then he was arrested again for selling milk below cost which, of course, was a crime malum prohibitum as distinguished from a malum in se. The one is bad in and of itself. Malum in se is bad in and of itself and one is bad only because the law says "no." It does not involve moral turpitude, the crimes that he was guilty of. But I think he also had a big fight of selling impure milk. So we brought that out in the campaign. I don't know whether we fed it to Drew Pearson again [laughter]. It hurt Christopher pretty much.

Fry: Yes, his polls went down.

Defensive Campaigning

Brown: His polls went down. I think Reagan would have beaten him anyway, but Reagan slaughtered him in the Republican campaign if you remember. He beat him two-and-a-half to one or something.

Fry: Yes, he did. Reagan was 1,417,000 and Christopher was 675,000.

Brown: Yes, almost two to one. Reagan made a very strong campaign. He made good speeches. He had good quips. He had good writers and things, and he was personable in appearance. I had taken off weight. I was down to probably fifteen pounds lighter than I am now. But my speeches, as I reread them and as I've read them since, were really a recounting of what I had accomplished rather than looking at a vision in the future. I didn't speak extemporaneously because I think I was afraid I'd say something wrong. The speeches were prepared by my press department. They weren't very good. My campaign lacked spontaneity. Of course, I had the Watts riot to defend, I had the fair housing bill to defend, I had the Free Speech Movement, and then above all, wherever I'd go to the universities, even where they were for me because I was a liberal amongst the young people, when they'd say, "Do you think we should get out of Vietnam?" and I'd say, "Not until we have insured the integrity of South Vietnam," and that would turn the kids off.

Brown: Fair housing was still an issue. At the union meetings, the unions that were supposed to be for me, they'd ask me, "What do you think?" and when I'd say, "I believe in it," they walked away, because there's an awful lot of anti-black feeling in the state even twelve years later and it was much stronger then. My defense of the blacks and my support of the blacks and my embracing them, all of these were factors in giving me such a poor vote in that campaign.

Fry: What did Yorty's campaign do?

Brown: Well, Yorty attacked me in the primaries viciously, to such an extent that even if he had gotten the nomination my people would have walked away from him in the general election. They would have been so damn mad at him. But he was paid--he attacked "Wyman and Pat Brown's cronies," attacked Wyman for opposing a bill that would have put some drug on the prescription list, which meant you had to get your prescription in triplicate. I forget which drug it is. He tied them up to dope dealers. Yorty was a very clever, very clever fighter, and he really battled me in the primaries. Of course, I only beat him by-- what was the vote on that?

Fry: You got 1,355,000 and Yorty got 981,000.

Brown: That was a close fight; it was about 47 to 42 [percent] which wasn't enough for a governor with 900,000 votes against you. I knew damn right well I was in trouble. If I couldn't beat Yorty who I always felt was a yokel [laughs] and a bad guy, then I knew I was in trouble. Then Reagan winning by such a big vote over the popular George Christopher indicated that I was really in trouble.

Fry: There was some talk about you coming out and sounding more conservative then in this [fall] campaign. At the Democratic meeting, I guess it was the state central committee meeting in August, you had said that you wanted to have a study made of fair housing. It sounded like you were pulling in your horns a little bit on it and some other things. Do you remember that?

Brown: I think I did. I remember, yes.

Fry: Here's [Ed] Salzman's article of August 20, 1966 in the Oakland Tribune where he takes you to task for changing some of your views to being more conservative. [Brown pauses to read article] That was at the fall 1966 Democratic convention when you said you'd name a commission to consider amendments or substitutions to the Rumford Fair Housing Act.

Brown: It was so unpopular. We won it in the Supreme Court then, you see. [continues to read article] I was very weak in that endorsement of Warschaw. I shouldn't have taken any position at all, but if I had

Brown: taken one I should have come out heavy. But she had been such a pain over a period of time that it was hard for me to be for her, but it was stupid of Warren to get into the fight to put me into the position of losing further support in the Democratic campaign. I shouldn't have had to be in the thing at all.

Fry: And Cranston was for Charles Warren.

Brown: Was he? I guess he was. But she ran against him, see.

Fry: That was for state chairman in the August '66 election. Did she ever help you any, Pat?

Brown: Oh, I think she probably gave money to my campaign but never very much.

Fry: No public?

Brown: She was fighting with Wyman all the time and I had to make a choice between those two Jewish people down there and each one had its own constituents.

Fry: Also, I wondered about Yorty in the general election.

Brown: I remember having lunch with him at the Occidental Restaurant there with the press all around and everything else, but he never came out for me.

Fry: My note here says--I don't know where I got this--but did you offer to support Yorty against Kuchel in '68 if he would back you in the general election in '66?

Brown: No, never, never, never--never offered to support him for anything.

Fry: That was rumored to be a trade-off--if he'd back you in the general election. Did Christopher ever help you, or Reagan? [laughs] Either one of you?

Brown: No, neither one of them. [looks through papers] Salzman's article is probably true. But I mean supporting an implied-consent drunk driver's bill--I was always for that. I was for that a long time ago and cracking down--unless you're cracking down on LSD and on the Watts riots, I don't know what kind of a bill it was, but those were all law-enforcement bills. Those were not efforts to change my position or anything, but the liberals always fight tougher criminal laws and I don't go along with that, I've always been pretty tough on it, although when they want to detain people or deprive them of the right to bail and things like that, I won't buy that either.

Fry: What about your efforts to fight Reagan and show that he truly had right-wing support?

Brown: Well, we tried to establish his positions from things he said in the primary campaign and other speeches that he made which indicated both stupidity and right-wing tendencies. I thought we did it very well, but we apparently didn't because he beat me by 933,000 votes or something like that.

Fry: Bob Coates wrote a thirty-page documentary on Reagan and his connection with right-wing groups and whole Birch Society picture, and then Alan Cranston came out with a white paper on it and I wondered what you had done. Do you remember those papers?

Brown: Oh, yes, I remember those papers.

Fry: Did you use them in your campaign?

Brown: Well, we probably prepared them and had them delivered by Cranston and the other people. They were probably prepared by my campaign staff. I had all my press secretaries and everybody working like hell for me in the campaign, preparing my speeches and everything else. It was a bitterly-fought campaign and I worked very, very hard. We had a debate and I thought I did well in the debate. I know that I did. But of course, they also accused me of nepotism and I had appointed a lot of my friends. I appointed my brother to the appellate court. I put May on the state Personnel Board. I had Pat Casey in the Department of Corrections. I put Joe Kelly on as a lawyer for the Board of Dental Examiners. Who else did I have? I had all these people and my son-- I put Jerry on some non-paying commission on narcotics that gave a little prestige. So I was guilty of nepotism and they used that against me too to a great extent. I said, "Yes, they have. They all supported me, they were all able people, but people resent a whole family being on the state payroll." So that was further evidence of the fact, when I get right down to it, that I really didn't want to run in '66 because I never would have done those things if I really wanted to run.

Fry: And had been planning to run.

Brown: Right.

Staff Dissension

Fry: The other question is about your own campaign staff. There are newspaper stories from time to time about how there was a lot of dissension between your own campaign staff--

Brown: Oh, there were big fights down there.

Fry: Champion and Bradley and then you brought in Dutton.

Brown: I brought in Dutton and he fought people down there. Of course, I wasn't around the campaign headquarters. I didn't know what was going on. But people have told me later on that it was just terrible down there. Dutton took over after the primaries and he was tossing people around and everything else; Bradley and Dutton hated each other and it was a very badly run campaign. And my speeches were not good. I made one or two that I really liked where I spoke extemporaneously from the heart. I remember talking to a group of labor women at the AFL-CIO hall downtown and I really felt sympatico. But in a lot of my speeches I read the speeches and they were dull. They were like this other guy--Younger's speeches this time.

Fry: I also read that you did go down, I think in August. It was about the same time as the Democratic State Central Committee was meeting; where you went down to get Dutton and Bradley and everybody together.

Brown: Yes.

Fry: Reagan was high on the polls and you had cancelled a trip to Washington, D.C. to do this. We got this out of the Examiner on August 19, 1966.

Brown: How far was I down on the polls? Does it show?

Fry: No, that would be in that chronology over there.

Brown: Would that be in there?

Fry: Yes. But you had slipped down a little bit and it said there was a near fistfight Saturday night in Sacramento at the state Democratic convention, and then the Chronicle said that Bradley was the only one who wanted Charles Warren for the state chairman.

Brown: Well, I had my people going in every direction and it showed. It was leadership. I was really pretty distraught. I didn't handle it well at all. But the polls show that I gained on Reagan until right at the end. It was about 42 to 42 where he had been way ahead of me. But after campaigning I really began to get to him and then we had another riot in San Francisco.

Fry: At Hunter's Point.

Brown: At Hunter's Point right at the last week of the campaign. Then all the undecided switched and I lost practically 90 percent of the undecided vote and he went in by that great big vote. But I thought I had done very well in gaining on him because he had been so, so much ahead of me.

Fry: Cranston lost. He went down to defeat too.

Brown: Oh, yes, they all went down. But you see Reagan's great popularity was indicated by the tremendous vote that he got over George Christopher who had been the nominee for lieutenant governor and the nominee for the United States Senator before.

Fry: Did you think you had very good Catholic support in this?

Brown: No, I never felt that I really had. The Catholics were usually pretty conservative.

Fry: Pat, the Western Political Quarterly wrote up a summary of this and they said that you needed a good full-time public relations firm running your campaign like Reagan had Spencer-Roberts.*

Brown: That probably would have been a good thing to do because by '66 the campaigns became media campaigns rather than personal campaigns with spot announcements. Now, we tried the telethons, I think, in the '66 campaign but I don't think they were effective. We made a half-hour picture which I felt was very, very good and in one part of the picture I'm talking to--I read in Herb Caen's column about someone who said, "Do you know who, with respect to Reagan, who shot Lincoln?"

Fry: You said, "Reagan is an actor and you know who shot Lincoln, don't you?"

Brown: Yes, yes! I looked at it. I talked to two little black kids. I still have the picture some place where I was campaigning. They couldn't have been over seven or five. I said, "Are you going to vote for me?" They said, "No." I said, "Remember, it was an actor that shot Lincoln," and then I walked away from them. They showed it and I thought it was the funniest thing in the world. But the Republicans picked it up right away and attacked me for attacking the acting profession, and a lot of the actors that liked me very much kind of turned against me. But I thought it was funny, and it was just a misjudgment of the people.

Fry: And your PR firm that was making the film!

Brown: They thought it was good.* Well, we all looked at it. They showed it to me at the mansion. I still think it was a good picture. I have that half-hour film some place and I've got to take a look at it.

*"The 1966 Election in California," Totton J. Anderson and Eugene C. Lee, Western Political Quarterly, 20.

**See interview in this series with Charles Guggenheim in Pat Brown, Friends and Campaigners. Regional Oral History Office, in process.

Fry: Be sure it gets deposited.

Brown: I don't suppose it's in the archives but it should be.

Fry: As you were campaigning, Pat, what did you do with these new kinds of Democrats? The longhairs, the ones with the picket signs--

Brown: Well, they weren't for me because of the war situation, you see. Ramparts had a terrible story about me.*

I had a secret meeting in Watts with some black leaders. I'll never forget that. What was the name of the man who brought me in down there? He died later. He was Jacobs. I think he taught at UC. What the hell was his first name?

Fry: Paul Jacobs?

Brown: Paul Jacobs, yes.** Paul took me to a secret meeting in a garage to meet some of the radical blacks and they really took me on. Ooh, God, they were mean--"You're a liar,"--

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Fry: You said that they really took you on and it was really kind of dangerous.

Brown: Well, they were very vicious and it made me very angry. I fought with them. It was a bitter showdown. I can't remember who went with me but I remember Paul Jacobs going.

I see one other thing that refreshes my recollection too here [on interview outline]. Senator Kennedy came into the state to campaign for me, but he was really campaigning for himself. He attracted so much attention that when we'd get on the platform all the young people would watch Bobby Kennedy. They loved him and it was obvious they ignored me. It was kind of a mistake because the governor has to be number one; he can be never number two. Here was Bob Kennedy, the Senator in California, and was number one.

Fry: And he upstaged you?

Brown: Yes.

"Golly gee, California is a strange state," the editors, Ramparts, October, 1966, pp. 11-33.

**Writer and an editor at Ramparts at the time.

Fry: [pause] Can you look back at any decisions that you wish you had made that you didn't?

Brown: In this campaign?

Fry: Yes, or was it mainly just that all of these things had happened that you had to take responsibility for?

Brown: I can't think of anything. I worked hard. We made this half-hour picture which I thought was good, and we must have spent \$400,000 to buy that time [on television], which was really something. We thought it was so good we put it on again. But nothing did me any good.

By the end of the first week of October we all admitted failure on the extremism issue. We couldn't make him an extremist even though he was. The speeches and things like that were really very deceiving and very deceptive.

Fry: [laughs] When I interviewed Champion about this, Pat, this marvelous quotation--he said, "Reagan was a walking talking Reader's Digest. He had everything condensed to such simple terms that the people could barely understand."

Brown: I didn't think that people like Leonard Firestone, who had been for me in the primaries, and some of the other Republicans would support Reagan; but in the end they all did.

Fry: Oh, yes, you had a good number of Republicans.

Brown: We had a tremendous dinner in April. We had all sorts of Republicans there, but all of them returned to Reagan in the end, probably due to the polls.

Fry: What about James A. Kelly, who was former executive for George Christopher

Brown: I don't remember him.

Fry: You had a Republican organization called Californians for Brown, right.

Brown: Yes.

Fry: You were trying to get that Rockefeller segment from '64 with Robert J. Donovan and C.M. Gilles. Do you remember that?

Brown: No, I don't.

Fry: Do you remember how effective this was earlier?

Brown: It wasn't very much. He beat me by 992,000 votes.

Fry: Where were you on election night?

Brown: I was in Los Angeles. I can't remember where we had the dinner.

Fry: Did you want to concede that night earlier than you really did?

Brown: No, I don't think so. I remember going down and I thought I had made a good speech. I said, "The people of the state of California have been good to me." There were some amazingly fine articles written after the campaign was over with about the work I had done. Art Hoppe wrote one and that was a beautiful one. I can't think of the other guy. Throughout the state there were some fine articles. What's this?

Fry: Well, that's the campaign manual.

Brown: I have difficulty in seeing the print in this.

Fry: Oh, some of these photocopies are just terrible.

Brown: I've got to have more black and white. The white and black with my eyes is very bad. I can't read this.

Fry: Well, you probably never saw that, right?

Brown: I probably didn't see it.

Fry: Because that was the campaign manual for the county workers and things like that.

Brown: Is this the only one you have?

Fry: Yes, and I think I have to return that to Nancy Sloss.

Brown: Oh, you got it from Nancy Sloss. Did you talk to her back east too?

Fry: Yes. I didn't, but one of my office staff did.*

Brown: Is she still back east?

Fry: Yes.

Brown: She's a good gal, a very intelligent woman. I used to see her every time--I used to take her out to dinner when I went back there but I haven't done it for a long time.

*See interview in Pat Brown: Friends and Campaigners, Regional Oral History Office, in process.

XVIII AFTER 1966

Fry: I wanted to ask you about--[tape interruption]

Brown: After the campaign was over, the night of election, I think I was with Ben Swig. I'll never forget that night: he told me that he'd give me a retainer of \$10,000 a year for five years with whatever law firm I went, which was a very consoling thing. Joe Albritton (who later became a publisher of the Washington Star) told me the same thing for three years, so I had four or five retainers totalling \$50,000 a year, so I really didn't have to worry; it was a question of where I'd go and I was offered positions with firms in San Francisco and Los Angeles, two or three in Los Angeles, Chuck Richardson's firm and one in Palm Springs. I debated whether to write a book rather than do anything else.

Then they offered me a professorship at the University of California at Los Angeles to lead a graduate seminar. I don't know whether you'd call that a professorship or not. But at any rate, I accepted that for a year and a half--it was only two or three hours a week that I had this seminar--and I joined the Ball, Hunt and Hart firm in the Beverly Hills office. I only had one assistant there with me and after being out of the private practice for twenty-five years it wasn't easy to get back into it. But we did very well almost from the very start.

Fry: When did you join the law firm about?

Brown: Right away. I made the decision some time in December and joined the firm in January. But I was a guest of President Frei of Chile. I was very active in the Chile-California program which was organized during the Kennedy administration. I think we talked about that, didn't we? Well, President Kennedy had called me and said, "I have an idea for an aid program. I don't like our AID program. What I want to do is to take a state like yours and get some of your senior people in water and transportation and finance and go down and work with the people of Chile as an example and we'll have Texas do it in Mexico and New York do it in Brazil. We will pay for it. There will be an appropriation of X million dollars to work."

Brown: So we went down. We set up that program during the period that I was governor and Alan Schrode was one of my directors and I can't think of the other man who is now the president of the Beverly Hills Savings and Loan as my director, executive head. Then when I was defeated, President Frei invited me to go down, so we spent a week down there.

Then President Johnson offered me the chairmanship of the National Commission for Reform of the Federal Criminal Code which was a congressional commission to rewrite and redraft the whole federal criminal code, which I took.

While I was acting as chairman of that, Joe Califano, who was the president's secretary, called me and said, "I want you to go on another commission on income maintenance. This is the commission that will study welfare." So I was on two commissions at the same time, both of which were intensely interesting. We went all over the United States with Barbara Jordan and other people examining welfare and poverty in the United States. Then I was offered a directorship on the Fund for Funds which was Bernie Cornfeld's outfit which meant trips to Europe two or three times a year over in Geneva. Their main offices were in Geneva. We had our board of directors meeting over there.

Then afterwards, the president offered me another assignment as one of the co-ambassadors to the coronation of the King of Tonga. So I accepted that, so on that trip Bernice and I took a trip around the world. We went over to Tonga with the governor of Hawaii, Governor John Burns, and from there to the Fiji Islands. Then we went to--oh, I think we went to Indonesia. Then we traveled on to the Mediterranean where Ben Swig and Earl Warren and Father Donohue, the president of the University of Santa Clara, a three-week's trip around the Mediterranean.

Fry: This was on Ben Swig's--

Brown: Well, he chartered a boat, The Patria. So the first year was really a great year. Then, of course, in '68 I got back into politics again in the presidential campaign. I can't remember what I did, but I'll have to find that out. So I've enjoyed the twelve years since I left the governor's office very much. They've been very, very happy days.

Fry: You chose Los Angeles to live in?

Brown: I chose Los Angeles then for two reasons. I had gotten rather used to warmer weather than I had in Forest Hill in San Francisco and I've given my daughter my home in San Francisco too or I'd sold it to her for whatever she could borrow on it because I needed the money to buy a home in Los Angeles. She was able to borrow \$35,000 on it, so I gave it to her for that. Then Jerry was going to practice law in Los Angeles and Cathy's husband was going to practice law down there and the best

Brown: offer really was the Ball Hunt offer. So you add all those things together and Bernice found that home up on Kip where we are which is close to my office, so everything worked out pretty well. So you've gone into everything now.

[Date of Interview: March 11, 1981]##

Morris: When you left Sacramento, you came down and settled in here as a--

Brown: A private lawyer.

Morris: Did you kind of keep an eye on what was going on in the Democratic party?

Brown: After I was defeated for governor, during the intervening period between election and going out of office, I interviewed many people as to what I was going to do. I finally interviewed Joe Ball and George Hart of the firm of Ball, Hunt, and Hart in Long Beach. They wanted to open an office in Beverly Hills and put me in charge of it. So we reached an agreement as to my association. I came down and we opened a small office on Wilshire Boulevard. I came down and we found a house down here which I still live in on the Santa Monica Mountains with a swimming pool.

Morris: A bigger swimming pool than the one you had in Sacramento?

Brown: Bigger than the one I had in Sacramento, yes, but not much bigger. We settled down here and I joined the Beverly Hills Bar Association and actively participated in the law. I can't remember what I did in politics during the year of 1967, which would be the first year. But I know that I have never left it from the time that I left the governor's office, up to and including the present moment.

Morris: I would think people would come to you for advice or just to ask what they--

Brown: Oh, yes, they invited me to make speeches. I was invited by President Frei of Chile, whom I had met while I was governor, to make a visit there. I told you before about the Chile-California program that was a tri-party agreement between the United States government through President Kennedy and the president of Chile and I, as governor of California. That went on after President Kennedy was assassinated.

So I went down there with a representative of Governor Reagan. He was a very stupid man and he came back and recommended to Governor Reagan that it be terminated, and it was. [tape interruption]

Morris: I was asking about the Democratic party after you left Sacramento.

Brown: I can't remember whether Reagan elected a Republican assembly. I think he did, and Bob Monagan was elected speaker [1969]. I retired somewhat from politics. That was an odd year, so there weren't any either national or state elections in '67. Reagan, of course, was riding the crest of the wave, so we retreated.

I made a trip during the summer to Europe and I had a great trip to the Chilean lake country, too, in February, which is the nice part of the year down there.

I had a law business. I had several retainers. So I was very, very busy. So I had a very enjoyable first year. It was far better than fighting with the legislature with a third-term governorship. After you have been governor for eight years, fighting with the legislature and fighting off the attacks of the press, you're really kind of glad to get out of it.

Morris: Did you find that the press became more difficult to deal with?

Brown: Do you mean after I left?

Morris: No, your second term in office.

Brown: As you went on--I never really thought very much of the press. I never thought that they were perceptive in their reactions to what I was trying to do. The press had been there before I was there with one or two exceptions. They were there during Earl Warren and Goodwin Knight.

Morris: People like Squire Behrens?

Brown: Squire Behrens and Jack--who was the man with the Examiner.

Morris: McDowell?

Brown: Jack McDowell was with the Call-Bulletin and another man, I can't think of his name. The only liberal was [Pete] Phillips of the Sacramento Bee and they were very, very friendly. [tape interruption]

Morris: Who of the Democratic state chairmen would be best to talk to about the party in the late sixties, early seventies? There were Charles Warren and Roger Boas and Charles Manatt.

Brown: I think you ought to talk to Jesse Unruh, too. Haven't you gotten to him?

Morris: We'd like to. It's difficult to find time when he can sit down and talk to us.

Brown: I think he would be very, very good. I don't know how I can refresh my recollection because my life took a 180 degree turn after that. There were some interesting things though. At the end of four years, I was over in Japan. I was over there visiting the Toyota plant, Mid-Atlantic Toyota. I was on the board of directors of the new corporation, Mid-Atlantic Toyota. (Are you recording this now?)

Morris: Yes.

Brown: I got a call from Gene Wyman who was the chairman of the Democratic party or finance chairman of the Democratic party in California. This was in 1970. This was when probably--I think it was in February because we had to move very quickly. He said, "We have just taken a poll and the poll shows that you are running neck and neck with Ronald Reagan, whereas at this time four years ago both Reagan and Christopher were running twenty points ahead of you. I've got people sitting in this room and they're willing to pledge \$500,000 if you will run again for governor of California." I said, "Well, that's interesting. Let me think about it. Let me talk to my wife." I wanted to stall it and think about it for twenty-four hours because I was doing well in the law business. I was on the board of directors of this California Council on Environment and Economic Balance, and the law firm had made a commitment for these offices for a five or six-year period.

But nevertheless, I wanted to stop Ronald Reagan dead in his tracks and I thought I could beat him on a second go-around. Like any governor he began to lose friends, and his first four years were not a great four years. He fought with an awful lot of people.

So I called my wife and I told her what I'm telling you--\$500,000 for the primary campaign. They guaranteed their support against any Democrat that would run. They thought Unruh would run, but they thought I could beat him and I thought so, too. I told her all this. She said, "Are you crazy?" [laughs] I said, "I don't think so." She said, "You know that your son has announced for secretary of state. If you think that two Browns can be elected on the same ticket, you're crazy. I think that you should give your son"--[laughs] --"an opportunity for a career!" I said, "Do you love your son more than you love your husband?" [more laughter]

Morris: What a question to ask her!

Brown: That's exactly what she said! She said, "That's a hell of a question to ask me. I just think that being governor again would not be the best life for either one of us. You've hit that chicken-and-pea circuit for a long, long time and I think you're enjoying life. You're making money and your son can be elected, I think. So I would forget about it."

Brown: So I called them up and said, "I'm not going to run." That was the end of my political career! [laughs] Well, I have gotten vicarious pleasure out of Jerry, although he gets me very angry at times, like I want this Peripheral Canal completed and it should be completed. I want him to get it over with. It's a very emotional issue.

Morris: Did you and he, when he was growing up and when you were in the governor's office, talk about government and the administration of something as complicated as this was?

Brown: Not too much when he was in high school because he was not too interested in politics at any time. He was more interested in debating and elocution. At St. Ignatius they emphasize that. He kind of goofed off in his second year, I think it was. In his third and fourth year he did very, very well. But we took trips together. He and I went on pack trips in the high country during the times of high school. He was in the Boy Scouts and I would go with him on overnight trips and things like that. But he never really showed any interest at that time. He wanted to be a priest. At seventeen he called me and said, "I want to be a priest"--at seventeen! This was on his birthday. He called me and said, "I'd like to enter the Jesuit order at Los Gatos." I said, "I'm not going to give you my consent. I want you to wait for another year." He was only seventeen. I said, "Go to college for a year. If you still feel the same way at the end of a year, you don't need my consent. If you're eighteen, you can do whatever you want to do." So somewhat reluctantly he agreed. He went to Santa Clara for a year. But he didn't lose the desire to become a priest. So he was more interested in a--

Morris: A different kind of vocation.

Brown: A different kind of vocation. He enjoyed the year at Santa Clara. He was on the freshman debating team and I went down to hear his debate. He won the debate and was rated the best speaker. He always had trouble with his voice. He had some polyps in his speaking department--the larynx or something. They wanted to take them out, but it would have been painful. So I never had it done.

But he wrote me a letter from the Jesuit order in 1958 or maybe it was '57. He went into the Jesuit Order in '56. He was only eighteen or nineteen and didn't read newspapers or anything else. He said, "I know you're thinking of running for governor or Senator. I think you've already made up your mind to run for governor. But really, Dad, there is a far greater opportunity"--he used the term "to serve God--deal with international affairs, the great minority questions, fighting for the civil rights of minorities. I think the Senate is the place that I would go if I had to make the choice, although I still think you've made up your mind." It was a beautiful letter. I'll release it one of these days; I don't want to release it right now because he's in office. But I had already made up my mind.

Brown: As a matter of fact, that goes back to '56. But then after he left the order [in December 1959], of course, he got into the practice of law and he began to take an interest in politics.* He ran for the community college board and he was elected overwhelmingly. So we felt he had a political career. He did well on it. He was unusual and smart and bright, much smarter than the people who were there. So that was the situation.

Of course, in '68, I went back to the Democratic convention. But I was not a delegate. I can't remember what happened. The delegation that I think--

Morris: Unruh was a strong factor--

Brown: He was a strong factor in that delegation in let's say '68. I think that the Bobby Kennedy delegation won, but he was shot the night he was nominated, the night he defeated Humphrey. So I'd have to refresh my recollection as to the history of this thing in '68. Then in '70, of course, I campaigned for Jerry and in '68 I campaigned. After Humphrey got the nomination, I campaigned for him all over. But here in California at the very last minute at Jerry's request I came out for Senator Gene McCarthy and that hurt Hubert Humphrey, who was one of my oldest and closest friends. He never forgave me for coming out for Gene McCarthy. But I had been hurt. He hadn't talked to me when he came in here. I was no longer the governor. I think I was overly sensitive. Gene Wyman, who was handling Humphrey's campaign, never invited me to dinners or things that they had.

Jerry was in Gene McCarthy's campaign and Gene came out to the office to see me, so I went for Gene McCarthy. There was another reason, too. McCarthy had defeated Kennedy. He had defeated Kennedy in three or four states, Gene McCarthy, but I can't--maybe I've got the wrong year, '68. But that's the year Humphrey got it, that's the year [Robert] Kennedy was shot, it was the year Gene McCarthy ran. I think we ought to postpone this and let me do a little reading and thinking before we talk any more about this. I've really got to get some things cleaned up. It's 4:30 now.

*Asked why Jerry left the order, his father replied on the transcript: "I never knew. He called me and asked me to go to Los Gatos without [his] mother. He told me he was going to leave but gave no reason. I didn't ask."

Morris: What you've recalled is a big help to the project. Thank you as always for today's session.

Transcribers: Teresa Allen, Michelle Stafford
Final Typist: Matthew Schneider

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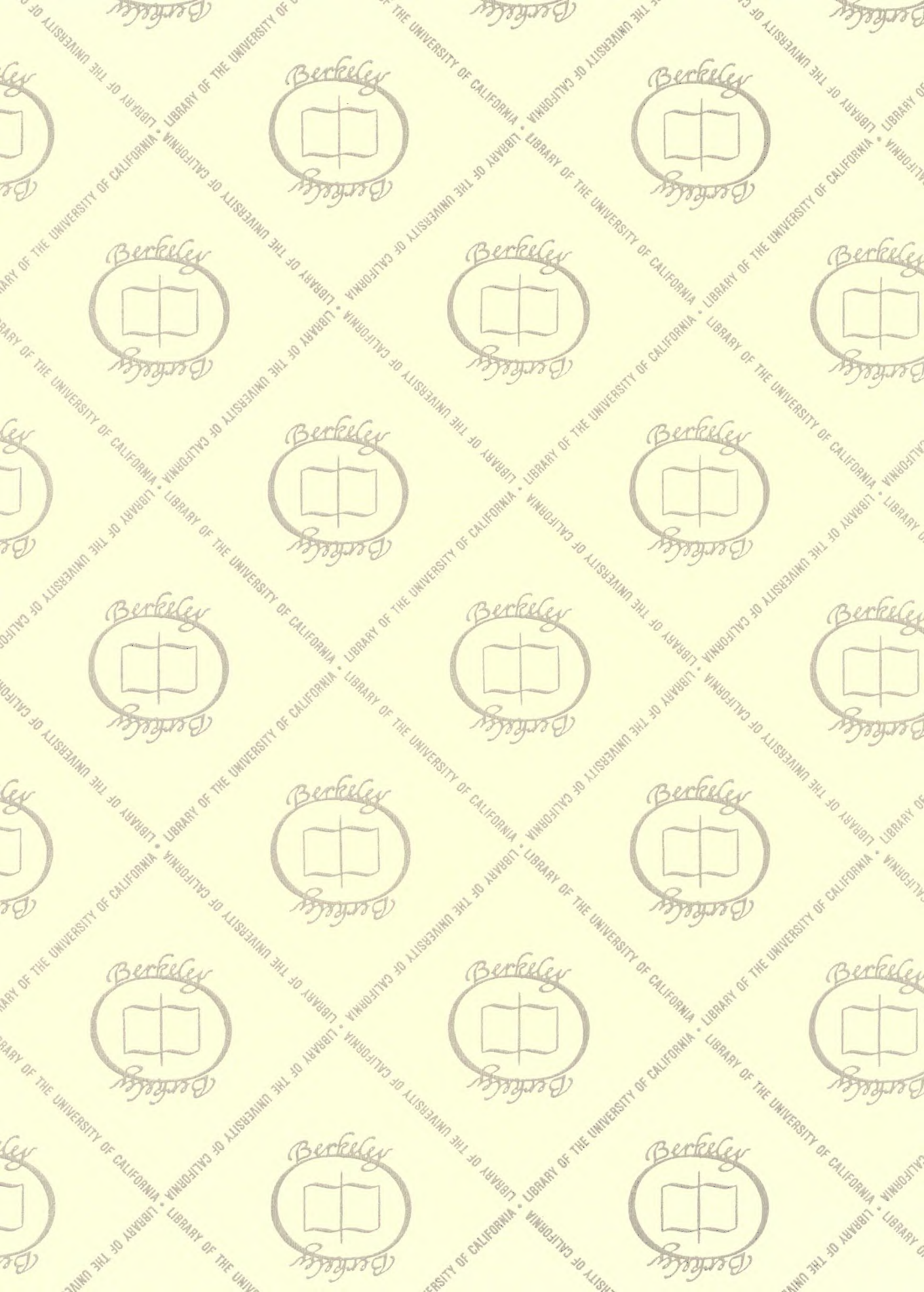
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